BENNETT

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TOUCHING THE CONDUCT OF

ANTHONY COMSTOCK

AND THE

N. Y. SOCIETY FOR SUPPRESSION OF VICE.

BY D. M. BENNETT.

NEW YORK:
D. M. BENNETT, LIBERAL PUBLISHER,
141 EIGHTH ST., NEAR BROADWAY.
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BY D. M. BENNETT.

Dear Sir: My reason for addressing this communication to you is because you are at the head of a society—the New York Society for the Suppression of Vice—which is trying to crush me, to deprive me of my good name, my property, and my liberty. From the information I am able to obtain, the determination is strong in your society to press me to the wall, to break up my business, and to thrust me into prison. My love of liberty and my aversion to injustice are probably as great as any man's, and it is but natural that I feel some uneasiness in consequence of the danger in which your society has placed me. It has already subjected me to an expense of thousands of dollars, it has blackened my reputation all over the United States and in Europe, and at this moment it has its hand at my throat, struggling to deprive me of my liberty and my rights, if not my life. I am, of course, deeply interested in this contest, and wish to talk with you about it with plainness, directness, and earnestness.

In some respects you and I stand upon an equal-

ity, while in others we do not. We are both natives of this country, both citizens of the United States, both have borne an honorable name among our fellow-men, both have lived to a fair old age, having entered upon our seventh decade, and both stand equal before the laws of our country and the Constitution, as it was established by our fathers. In other respects we are not equal. You are rich; I am poor. You have been very successful in your life enterprises, while I have not. You are to-day honored and respected by most of the people of this city and country, while, by the same class, I am hated and despised. You are the president of an organization composed of rich and honorable men, while the finger of scorn is pointed at me and I am denounced as a criminal unfit for life and the blessings of freedom.

What is the cause of this state of things? Is it because I have really committed wrongs and am a worse individual than yourself? By no means. I have ever been a law-abiding citizen, and defy any man to designate any crime I have committed. I insist that I have not been a law-breaker, while I think I will soon be able to show that you have been. But the great difference between you and me, Mr. Colgate, is just here: You are a believer in current theology; I am not. You are a member of a rich and fashionable orthodox church; I am not. You accept the system of celestial arithmetic that one is three and three are one; I do not. You believe that a son may be as old as his father; I do not. You believe in supernaturalism; I do not. You believe that your system of religion has been handed down from heaven; I do not, but regard it,

like all other systems of religion, as of human production. You believe that a certain individual of illegitimate birth, said to hav been born nearly two thousand years ago of a Jewish maiden, was begotten by the Supreme Creator of the universe, and was himself the creator of the universe and his own father; I do not. You believe that the blood of this individual was very different from the blood of all other human beings and possessed virtue enough to save and make forever happy those who accept the belief you do; I do not. I regard every person's blood, who has lived upon the earth, as essentially the same. You believe that all who do not accept and acknowledge the faith you do must go to hell and suffer eternal torture; I do not. I cannot believe that any man is to be punished to all eternity for entertaining an honest belief. We are punished *here* for opinion's sake, but I hope not *there.*

I will concede that you are honest in your views, and for entertaining them or professing them you are honored and bowed down to. For not being able to believe the same, and for having the honesty to avow my inability to believe them, I am despised, denounced as vile, and for this very thing you and others are seeking to deprive me of my liberty and my dearest rights.

I wish to remind you that in the formation of this Government it was designed by its founders to be perfectly free for every form of belief, theological or otherwise. It was intended that every religion here should enjoy an equal amount of freedom. That every man should believe in and worship any kind of a god he pleased, or no god at all, if he pleased. The Government was not established in

the interest of any system of religion. There was to be no union of church and state. Every man should have the right to espouse and proclaim such views and opinions as to him seemed good.

Many of the men who took a prominent part in preparing the country for the free Government which was here established and in perfecting it, were unbelievers in the main dogmas of the Christian religion. Thus Benjamin Franklin was a Deist; Gen. George Washington was a Deist; Thomas Paine was a Deist; Gen. Ethan Allen was an Atheist; Thomas Jefferson was an Atheist; John Adams was a Deist, and many others who were connected with the civil branch of the Government, and who as generals helped to fight the battles, were unbelievers in the fundamental dogmas of Christianity. These statements are susceptible of proof, but I will not now take the time to enter into that. I will say, however, that it has been claimed that but one of the signers of the Declaration of Independence was a Christian, and he a Catholic—Carroll of Carrollton, Maryland; and it is well known that Washington while filling the chair of first President of the United States, signed a treaty with the Government of Tripoli, in which it was explicitly stated that "The Government of the United States *is not in any sense* founded on the Christian religion." Among our later Presidents some have been unbelievers or Infidels, notably Abraham Lincoln.

Under this view of the matter it would seem that my right to hold my honest opinions ought to be just as sound and just as firmly protected as yours, but it is not so. A great change has come over the state of our country. The Christian religion has

become very fashionable and popular. We are supporting from 60,000 to 70,000 clergymen to uphold it. We have churches and cathedrals in this city costing from $500,000 to $5,000,000, and these are free from taxation, while the humblest cottage of the poor man is taxed, and if he is not able to own a cottage and is forced to rent a home he has to pay in rents to make up for what the property of the churches and the clergy do not pay; and many of the clergy, for preaching the church dogmas to the people, are paid the exceedingly comfortable salaries of $2,000, $3,000, $4,000, $5,000, $8,000, $10,000, $12,000, $15,000, and $20,000 a year. It is perhaps not strange that some of these men wish to send to prison the man who is trying to show the people the folly of keeping up this expensive and useless farce.

Yes, Mr. Colgate, my principal sin is in not being a Christian, and in publishing arguments and facts calculated to shake the faith of my readers in the divinity and beauty of that system of religion. The charge of obscenity against me is a mere pretext. I am not and never have been a dealer in obscene literature. The charge is infamously false. I have even hardly seen a lewd or lascivious book for twenty years save the part of one which your agent Anthony Comstock sent through the mail to a friend of mine. But a pretext was sought for against me by your society by which I should be arraigned before the highest courts of our country. Your agent, Anthony Comstock, visited my place, searched through my publications, books, pamphlets and tracts to see if he could not find something on which I could be arrested and convicted. He

three times for selling or mailing obscene literature. This is most cruel and unjust treatment towards one who is not in the slightest degree guilty.

Have you realized, Mr. Colgate, what a serious thing it is to be arrested on a charge of selling obscene literature? There is scarcely another charge in the whole catalogue so disgraceful, so odious, and so utterly ruinous to a man's character among his friends and acquaintances. How would you like to be arrested on an accusation of selling obscene and lascivious publications? How would you like to have your wife, your daughters, your near relatives and friends, and your numerous acquaintances read in the daily papers that you had been arrested on this charge by United States officers? How would you like it telegraphed all over the country that Samuel Colgate had been arrested and held to bail for dealing in obscene literature? Would $20,000 be the slightest inducement to you to have such a foul blot, such a disgraceful stigma, thrown upon your character? I think not. But remember this has been done to me three times within the last fifteen months, and I think as much of my character as you do of yours. I have not dealt in nor handled obscene literature, and have been no more a violator of the law than yourself; in fact, not so much so, as I will proceed to show you and any person who may read this. I will here quote a section of the law of the United States, which your society, and especially your agent, caused to be passed. A similar law he also caused to be passed by the Legislature of this state:

"Every obscene, lewd, or lascivious book, pamphlet, picture, paper, writing, print, or other publi-

cation of an indecent character, *and every article or thing designed or intended for the prevention of conception* or procuring of abortion, and every article or thing intended or adapted for any indecent or immoral use, and every written or printed card, circular, book, pamphlet, advertisement, or notice of any kind giving information, directly or indirectly, where, or how, or of whom, or by what means, any of the hereinbefore mentioned matters, articles, or things may be obtained or made, and every letter upon the envelope of which, or postal card upon which, indecent, lewd, obscene, or lascivious delineations, epithets, terms, or language may be written or printed, are hereby declared to be non-mailable matter, and shall not be conveyed in the mails, nor delivered from any post-office nor by any letter-carrier; and any person who shall knowingly deposit, or cause to be deposited, for mailing or delivery, anything declared by this section to be non-mailable matter, and any person who shall knowingly take the same, or cause the same to be taken, from the mails, for the purpose of circulating or disposing of, or of aiding in the circulation or disposition of the same, shall be deemed guilty of a misdemeanor, and shall for each and every offense be fined not less than one hundred dollars nor more than five thousand dollars, or imprisoned at hard labor not less than one year nor more than ten years, or both, at the discretion of the court.—*U. S. Statutes at Large, vol.* 19, *p.* 90. *Approved July* 12, 1876.

You will notice that it is a positive *violation* of the law to publish any kind of an advertisement giving information relative to any substance that may be used for producing abortion or preventing

conception, or telling in ever so vague a way where such a substance can be found. To be guilty of such a violation of the law subjects one to a fine of $5,000 and imprisonment for ten years. To show whether you have not rendered yourself liable to this punishment, I will quote a few lines from page 7 of a pamphlet, being part of a report of Henry A. Du Bois, M.D., issued from your house, relative to the article of *vaseline* which you sell in large quantities, of which pamphlets you have sent out thousands. To my personal knowledge the pamphlets have come from your house, and they were sent by mail. They were ordered from your house, they were sent pursuant to order, the envelope having your business card printed upon it. Here is the extract:

"Physicians are frequently applied to to produce abortion. Recently, on the same day, two women came to me; the reason assigned in the one case was that the husband was syphilitic; in the other, that pregnancy brought on violent attacks of spasmodic asthma. Of course I explained that the child had rights as well as the mother, but it was all I could do to prevent one of these cases from going to a professed abortionist. In some cases of this kind prevention is better than cure, and I am inclined to think, from some experiments, that *vaseline, charged with four or five grains of salicylic acid*, will destroy spermatozoa, without injury to the uterus or vagina."

Here are explicit directions for preventing conception, if not for procuring abortion, and you published definitely where the preparation could be obtained. You violated the law, as I said, in the

most positive manner, yet you escape, while you are trying to send me to prison for not breaking the law at all. If this is justice, it must be Christian justice, or Colgate justice, which will not bear investigation. But your society was not organized to punish such violators of the law as yourself, nor for the rich and influential, nor for prominent Christians, but for poor, friendless devils who are unable to make a defense, and who can easily be hustled off to prison. To show you and others what a wide difference is made in the treatment of Christians and Infidels, I will inform you that though the U. S. prosecuting attornies readily admitted that the law had clearly been violated in your pamphlet, and ought to be prosecuted, when they came to learn that Samuel Colgate was the offender they utterly refused to prosecute the case, while they are very ready to prosecute me for violating no law whatever, and with difficulty have been induced to lay my case over for a single term that my attornies might have time to prepare for my defense. Thus you see, Mr. Colgate, it makes considerable difference whose bull does the goring, whether Colgate's or Bennett's. This is a very good illustration of the kind of justice meted out by your Society for the Suppression of Vice; its president may violate the laws with impunity, but as for an Infidel publisher, he must beware, or he will be sent up ten years for the most frivolous offense; and then if the President of the United States has the fairness and honesty to pardon him and release him from his unjust imprisonment, the holy adulterers raise such a howl all over the land as to nearly deafen one. Had some Infidel or unpopular or irregular practitioner been

guilty of violating the law as you have done, your agent, Comstock, would long since have been after him, and the United States court would have summarily sent him to prison.

In your speech before your Society on the evening of January 29th, you said: "As a Society, we have yet to have the first report from any responsible and reputable physician, or druggist, or bookseller saying that their practice or business had been injured through the action of the Society. They do not complain of our society, of these laws, and no such report has come to our Society." There is very good reason why they do not complain; your agent Comstock does not meddle with regular physicians, regular druggists, nor wealthy, respectable booksellers. He is very careful to let them alone, and to pounce down upon the poor, the friendless, and the irregular. For these he has no mercy nor forbearance. The "regular," aristocratic physicians may prevent conceptions, produce abortions, or do anything else they choose, and your agent will not disturb them. I have never heard of Comstock bringing a charge against a regular physician or a regular druggist. Druggists may import and sell contraband French goods with perfect impunity, and he will not disturb them. There is scarcely a druggist in the city but what keeps and sells those goods every day in the year, and still Comstock will not lay snares for them; he will not send them decoy letters in fictitious names; he will not set traps to catch them. He is not anxious to attack the fraternity of druggists; they are too strong and could raise too much money to successfully oppose him. He looks for game more helpless and friendless.

It is the same with the booksellers. There is hardly a bookseller in the country but what sells the writings of Boccaccio, Rabelais, Montaigne, Fielding, Shakspere, Sterne, Juvenal, Byron, and others, any one of which has a hundred times more of obscenity or indecency than "Cupid's Yokes" contains, but they are never disturbed. They can keep on selling these works, with hundreds of copies of the Bible, which, at least, has a thousand times more obscenity than can be found in Mr. Heywood's pamphlet, and they are all right; they will not be molested. They may even buy and sell "Cupid's Yokes" to their heart's content, and Comstock will not lay in wait for them. The largest booksellers in the city have repeatedly bought "Cupid's Yokes" of me, but your Society or your agent will not proceed against them. It is the Infidel publishers and the small-fry operators who have cause to fear Comstock's persecutions and prosecutions. And here may be seen at a glance just the kind of justice that actuates your Society.

I will cheerfully admit that much good has been accomplished in seizing and suppressing indecent and immoral literature, and that you spoke correctly in your speech when you said, "To-day it is impossible to find one of those books [indecent] in any store in this city, and obscene pictures and pamphlets are hardly ever published." While I would not deny the good that your Society has done in driving this literature from the market, I must remind you that the far greater portion of this was done before your Society was organized and before the postal laws of 1873 were enacted. Since that time your Society has expended some $30,000, and

it has done in the last five years little else than to prosecute, annoy, and persecute people who meant to do no harm, who have broken no moral law, and have done nothing to injure their fellow-men. The charge of obscenity has been brought against scores of persons who had not a thought of being obscene, and whose desire to be moral and law-abiding was as strong, at least, as the average of church-members of the day. For every person whom your Society has arrested within the last five years on the charge of dealing in obscene literature who has really been guilty, ten or twenty have been needlessly arrested, have been subjected to heavy expense, have been cruelly disgraced and many unjustly fined and sent to prison. Of this class may be mentioned the cases of Dr. E. B. Foote, Dr. E. C. Abbey, John A. Lant, Sara B. Chase, Charles Mackey, Leander Fox & Son, Mr. Weil, A. Prosch, Charles F. Blandin, Louis Wengenrath, E. H. Heywood, and at least one hundred and fifty others. When it is realized how much anguish, wretchedness, broken-heartedness, and disgrace your agent has caused by his merciless persecutions, the amount of deception, subterfuge, intrigue, persuasion, falsehood, and even perjury has been employed to procure the arrests and convictions that have been made, it is quite enough to neutralize the good that has been performed from the same source, especially when it is borne in mind that obscenity could easily have been suppressed and the offenders brought to punishment by the regular police force of our city and at less than one-tenth the expense that your society has incurred. Should then the inquiry be made,—What great good has the society accomplished? the

answer would be: It has afforded a good fat position for Anthony Comstock and his lackey to live upon the contributions made by well-meaning people, where he can pocket four thousand dollars a year for being a terrible scourge upon his fellow-men, punishing them far beyond their deserts, and in doing such work as the police are perfectly competent to attend to.

There is a charitable opinion in the minds of many people that yourself and other members of your society, being honorable, high-minded men, are not cognizant of the methods your agent employs, and that you do not approve of them. But when it is remembered that you are well apprised of many of his methods aud specific arts, and that at least a portion of his villainous conduct has been brought to your knowledge, the feeling of charity alluded to is greatly dissipated.

It is not pleasant for me to charge any person with wrong doing, and especially crimes that are punishable by imprisonment, but I am not, after all, afraid to speak the truth, and will not, when necessary, hesitate to do so. I beg to assure you that the charges I make are *true*, and are all susceptible of proof, and can be demonstrated to yourself, your society, and before a court of justice. You seem to ardently defend the conduct of your agent, and you speak of the work accomplished by him as being of the most satisfactory character. You cannot then think strange if I spend a few minutes in considering it. If he is culpable in his past acts, and you defend him in the wrong he has done you make yourself equal in his guilt.

The reverend speakers in your last meeting denied

that your agent used subterfuge, persuasion, and decoy letters to induce his victims to the commission of crimes, and insisted that the letters he writes—in which hypocrisy, falsehood, and persuasion are about equally blended—are simply "test letters," not to induce people to commit wrong, but to ascertain who would do so. This assertion will not bear investigation. A few only of your agents's cases will have to be examined to show that the claim is untrue.

Take, first, the case of Leander Fox & Son, who kept a book-store on Canal st., not far from W. Broadway. They were men of good reputation. Persons who knew Mr. Fox for many years have assured me of his sterling worth and integrity of character. There were few men who tried harder to do what is right. Comstock sought to make them his victims. He called upon them and asked for certain obscene works. They informed him that they did not keep them. He urged them to get for him the books he wanted, but they told him they never dealt in that class of literature. Your agent called several times on similar errands, asking for lewd and indecent books, and he was invariably told that they kept nothing of the kind, and never had done so. He kept up these importunities a long time, but not succeeding in entrapping them into purchasing vile books for him, he tried his favorite method of decoy letters. He wrote them in a fictitious name, ordering a book, or books by mail. One was "Ashton's Book of Nature and Marriage Guide" (published and copyrighted by Benjamin T. Day), a work on Physiology, etc., but by no means obscene. It had been sold regularly by the trade for twenty years,

and was much of the same character as Dr. F. Hollick's works. Fox and Son not having the book in stock stepped out and bought it of some other dealer and mailed it to the address desired as innocently as you would ship a gross of glycerine soap to a customer. But for depositing that harmless book in the mail your agent caused father and son to be arrested late on Saturday afternoon—when obtaining bail is not easy—with a view of keeping them in prison over Sunday. To show how easy convictions are obtained, it is only necessary to state the fact that the case against Fox & Son being pressed to trial when their attorney, William Beach, was absent at Albany, both father and son, by Comstock's testimony, were found guilty of sending obscene literature through the mails, and were sentenced to prison for a year; and but for the interference of Thurlow Weed, who induced President Grant to pardon them out, they would have remained in prison the entire term, to the ruin of their business and the great unhappiness and disgrace of their family. It is a great injury to a man to thus tear him suddenly from his business; and few, who have not been arrested on a charge of obscenity, are able to fully comprehend the anguish of heart to the family and the deep disgrace attendant upon it. There is hardly any other charge so utterly damaging as this, and your society should be very careful that it does not so grossly injure a man as to bring the foul charge when it is not true. A man's reputation is dearer to him than money—is as dear as life—and it is extremely wrong to tarnish it unjustly.

Here is a case where Comstock induced two excel-

lent men to commit an offense, if an offense it may be called, which they would never have thought of committing but for his decoy letter, and by that villainous act of his they were deeply injured, disgraced, ruined, and their family rendered inconsolable. If the man thus unjustly persecuted is able to stand up under it, the wife, the sisters, and mother are often broken down with intense sorrow and grief at the great disgrace brought upon them. The soul agony and wretchedness that your agent has thus brought upon hundreds of good people is far beyond the power of computation.

The adulators of Mr. Comstock say he never induces a person to commit a fault who would not otherwise do so. I think I can prove this statement to be a falsehood. Let us take the case of Mr. A. Prosch, manufacturer of stereopticons on the corner of Division and Catherine streets, where he is still pursuing his business. He is an unexceptionally good man. During the sixty-five years he has lived he has borne an excellent character; and, to show how carefully he has lived, it is only necessary to state that he has never played a game of cards, he has never visited a theatre, never made use of intoxicating liquors or tobacco, and has uniformly been noted for his upright and honorable conduct. But in the spring of 1877 this good man had the misfortune to fall into the toils of your agent, and thereby came to great grief. Daniel Walford, a friend of Mr. Prosch, belonged to a temperance organization, and it was proposed to have a re-union with some kind of amusement for the society. Mr. Walford induced Mr. Prosch to attend the meeting and to take one of his stereopticons and give them

some views. He had a limited number of pictures, such as he used in exhibiting his instruments to his customers. Such as he had he took with him, and charged not a cent for the effort he made to amuse the company.

The entertainment passed off pleasantly. Gentlemen, their wives, and daughters, were present, and the pictures shown were such as not to offend any of them. But there was a single person there with a prurient mind, who, at the exhibition of some pictures of statuary, thought it would do for a case for Anthony Comstock to work up, and he took the trouble to have the information conveyed to your agent that an exhibition had been given where nude figures had been shown. This was enough for your virtuous representative. He sent his assistant, Britton, to see what could be made of it.

Britton called upon Mr. Prosch, and said, "I learn that at a social gathering of a temperance society you recently gave some stereoscopic views which pleased the audience very much. Now, I belong to a club of young men; we are soon to have a meeting, and we wish to see if we cannot get you to exhibit some of your pictures to us." Mr. Prosch replied that that was not his business. He made the instruments for sale, but did not follow exhibiting them. He had, on the occasion referred to, gratuitously shown some pictures as a matter of accommodation to a friend, and had never done so except on that occasion. Britton rejoined by assuring the old man that the club was very anxious to have him attend its meeting and show his pictures, assuring him that they would pay him handsomely for doing so. By continued persuasion of this kind the old

gentleman thought that if he could afford pleasure to the meeting and put a little money into his own pocket at the same time it might be well to do so; and he promised to give the exhibition. Britton wished to see the pictures that formed the collection. These were freely shown, whereupon your employee remarked: "These are very well so far as they go, but our club wish something a little livelier, something a little more racy; you understand. We are mostly young men, and we wish something rather rich and fancy. Can't you get something a little more to our taste? We will pay you well for your trouble in finding the pictures, besides paying you for the exhibition." Mr. Prösch said he did not know whether he would be able to find such kind of pictures as your man indicated; but, by being repeatedly urged and persuaded to do so, he promised to try and see what he could find.

Britton called in this way several times upon the old mechanic to see if the desired pictures had been procured, and urging that the old man should procure them. At length a picture or pictures was obtained that was thought might suit the club. Just what it was I do not know, but have been informed it was a scene from Pompeii or Herculaneum, and Britton expressed himself pleased. He, of course, communicated the intelligence to his chief, your agent, and called upon the old man, saying he was one of the club before whom the exhibition was to take place. The pictures were, of course, shown to Comstock, who, as soon as he looked them over and saw the one he deemed objectionable, rudely seized the old man, and in a brutal, imperious man-

ner, said, "You are my prisoner. I am Anthony Comstock. Go with me to prison."

The old man was, of course, greatly surprised. He was working at his lathe in his shirt sleeves, and was not hardly in condition to go through the streets in the plight he was. He said if he must go to prison he wished to put on his coat and boots. Comstock would not allow this, but forced him through the streets in the way he was as though he had committed robbery or murder. An employee of the old man followed with the coat, and, though the weather was raw and cold, Comstock would not let Mr. Prosch put it on. His manner was exceedingly coarse and brutal all the way to the prison, and it was not until the old man was placed in the hands of the city police that a kind word was spoken to him and he was allowed to put on his coat. In this way your pious agent showed his Christian spirit.

It was in the after part of the day that Mr. Prosch was arrested—too late for him to procure bail that evening, and he passed the night, for the first time in his life, in a prison cell. He was in great mental agony at the great disgrace that had thus suddenly overwhelmed him, and he passed the night in restlessly walking the floor of his prison. Not succeeding in procuring acceptable bail, he remained in prison the following day and also the second night. The blow was a heavy one to him.

It was still heavier to his invalid wife. The disgraceful charge upon which her husband was arrested was carefully kept from her as long as possible, and the fact that he had been taken to prison at all was endeavored to be concealed from her; but, by dint of importunity, she learned that Mr. Prosch

was in prison and finally the nature of the charge was made known to her, and the shock nearly killed her when she learned the foul offense with which he was charged. She has described to me, with tears n her eyes, the intense agony she suffered. To think that that good old man, who had not, during his entire life, knowingly committed an offense of any kind, should, in his old age, be dragged to prison on the charge of obscenity! She could not divulge the fact to her nearest friend, not even to her own sister. She could not breathe it to any one. She thought she would die with the crushing grief, which so prostrated her that she came near death's door. She did not believe she could possibly live through another such trial.

Friends of the accused man took an active interest in his case to see if something could be done for his relief. You were visited and the facts were presented to you. It is believed that you felt shocked at the cruelty and inhumanity of your agent. The result was, Mr. Prosch obtained bail and his case was never called before the Court—was never tried. It is believed that your influence led to this result. But you still employ Comstock to continue in his villainous career. You still hold the position of President of his Society. You still freely contribute money for such services as he performs, and you still praise him for the great labors he executes.

I will next call your attention to the case of Chas. F. Blandin, whom your agent and his employee did induce to commit an offense for which they cast him into prison. Blandin lived in Boston and had uniformly maintained a good character. He removed to this city in 1877 with a view of following his pro-

fession here as a lawyer; but, finding business dull, he worked for a while at soliciting orders for a stationery and printing-house. This business took him to stores and offices, and in an evil hour he called at the office of your agent, Comstock. His accomplice, Britton was in and was very affable and communicative. He informed Blandin that he wished to procure some fancy pictures, and handed him what purported to be his business card, which read, "Joseph B. Andrews, buyer of rich, rare, and racy books, photographs, etc., Philadelphia." Britton represented himself as Andrews, and said he was very anxious to obtain some fancy pictures. Blandin assured him that he knew nothing of such goods, that he had never seen any, and knew not where to obtain them. Britton enjoined him to be on the lookout for them, and if he could find anything in the line to let him know. Blandin promised to do this, deeming Britton a friendly, good sort of fellow.

Blandin thought no more of the matter until some two months after being on a visit to Boston, a friend casually showed him half a dozen of what are called fancy photographs, the first Blandin had ever seen. The promise he had made to Britton immediately came to his mind, and he begged one of them as a loan to show his New York *friend*. The request was granted, and after returning to this city the unsuspecting Blandin called upon your designing employee, Britton. Not finding him in, he left a note that he had been there, and gave the street and number of his office. Britton soon returned the call, but found Blandin out. He in turn left a note for Blandin to call at a certain hour at the office of your society, 150 Nassau street. Unfortunately he called,

and found both your agents, Comstock and Britton, in. He informed them that while in Boston he had been shown some fancy photographs, and remembering how anxious Andrews was to see or obtain some, he had begged one, and had called to redeem his promise. The picture seemed to please your agents, and they wished to obtain a thousand such, inquiring very particularly where they could be obtained. Blandin replied that he could not tell them, that the one was all he had and all he expected to have, that he had only borrowed it, and that it was not for sale; he could not tell where more could be found. They detained him longer than he wished to stay, and plied him with numerous questions. At length he reached out his hand for the picture, as he wished to go. Britton declined to return the picture, but instead placed thirty cents in Blandin's hand. The latter said he wanted the picture, not the money; that the picture was not for sale, and did not belong to him. He simply wanted it to return to the man of whom he had borrowed it.

At this juncture your agent, Comstock, stepped from an inner room to which he had retired, brandishing a club, and, showing his badge of office, laid his hands roughly on Blandin, saying, "You are my prisoner. My name is Comstock;" and without parley, or a word of kindness, or a particle of pity, hurried him off to prison, where the unfortunate man, being unacquainted with any one who would be accepted as bail, was forced to lie thirteen weeks with felons before his trial came off. Here is a case in which was enacted the fable of "The Spider and the Fly," your agents taking the part of the spider. Blandin had been over-persuaded to find fancy pic-

tures and bring them there. A note had been left at his office inviting and pressing him to call, and then, as soon as he was in the power of your agents, he was hustled off to prison without being able to communicate with his friends, or even to leave word at his office to tell what had become of him. He was not a dealer in improper pictures; he never had seen one, and would not have thought of touching one of them and taking it to your society's office had he not been urged to do so by your employee. This is clearly a case where your society induced a man to violate the law in order that he might be made a victim of, and thus add one more to the list of bad characters you boast of having arrested.

On the testimony of Comstock and Britton, Blandin was easily convicted of selling an indecent picture; but the jury, not believing that he intended any wrong, recommended him to the mercy of the Court. His sentence was made the lowest prescribed by the law—$100 fine and three months' imprisonment. But even that is extremely severe on a man who has designed to do no harm, bnt simply to accommodate one who professed friendship. To be imprisoned three months with thieves and felons is no light matter, and doubtless Comstock or yourself would appreciate the fact were either of you forced to undergo it.

Blandin was defended by B. F. Russell, an attorney who had known him for ten years, and who, knowing him to be a moral young man, made an effort to secure a pardon. He obtained the signatures of the judge, the jury, and the foreman of the grand jury, asking the Governor for Blandin's pardon, and went to Albany to present it. Governor

Robinson believed a serious wrong had been done to Blandin, and sent his son to this city to investigate the matter. The son found the facts as Russell had represented; and though your agent, Comstock, opposed a pardon with all his power, and brought out the credentials of your society, it was of no use. The Governor pardoned him, thus rebuking the conduct of your society, which you and several well-paid clergymen so loudly approve. But Blandin's prospects were ruined, and he disgraced for life. Comstock can point the finger of scorn at him and say, "He is one of my convicts." Your society counts this innocent man as among its victims in the cause of morality.

Another instance, showing the way your Society does its work, is that of Louis Wengenrath, confectioner in the eastern part of Brooklyn. He was widely and well known as an honorable, law-abiding man, and his honor would be untarnished to-day but for your agents. Britton called on him often and made slight purchases, and at length requested the confectioner to procure for him certain indecent devices in sugar, which confectioners have sometimes sold. Wengenrath assured him that he had sold nothing of the kind and had none. Britton urged him to buy some for him, and he would pay him handsomely for his trouble. And, to further induce the good-hearted man to procure the articles, Britton told him that their mutual political friends, Gale and Ely, wanted some also. These requests were frequently urged, and at length Wengenrath took the trouble to hunt up the articles, as requested; but no sooner had Britton become in possession of them than Comstock and himself caused the

poor man's arrest, and he was compelled to go to prison and stand trial for selling obscene goods. The proof against him was clear, and, though he was able to show a good character, he was convicted and given the lightest punishment the law prescribes —three months' imprisonment and $100 fine.

Here is another case of great injustice by your Society, visited upon a well-meaning, peaceful man, who, but for the inducements thrown out by your agent, would not have thought of doing wrong. But the worst remains to be told. While Wengenrath was in prison awaiting trial and undergoing sentence, an intimacy grew up between his wife and his attorney, Archer, and there is little doubt but what they were criminal together. The attorney's visits were continued even after Wengenrath's term of imprisonment was over, and the latter had good reasons to believe that improper intimacy had taken place. He ordered Archer to discontinue his visits to his house, and upon the latter's telling him he would come as much as he pleased, and upon the wife taking sides with the attorney, the husband became deeply incensed at the wrong that had been done and made a deadly assault upon Archer, doing him so great an injury that his life was despaired of, and the poor confectioner was again thrown into prison. Thus his business was broken up, his wife alienated from him, his happiness gone, and his reputation ruined, and all in consequence of the decoy held out by the man your Society employs to perform that kind of service.

At an indignation meeting over the wrongs committed by your man Comstock, held last June in Science Hall, James D. McClelland, Esq., attorney

of this city, made a statement of some things he knew about the modes and results of the business performed by your man Comstock, and gave several facts which had come under his own observation. Among others he related one of an unfortunate man whom Comstock by a decoy letter had induced to send a syringe through the mail, whereupon he was thrown into prison and his wife and children left to suffer. On the trial, notwithstanding the hard swearing of Comstock, and the severe rulings of Judge Benedict, McClelland divided the jury, causing them to stand six and six. He proved by eminent physicians that the syringe was a valuable instrument and innocent of harm. But that seemed to amount to nothing with the judge. A new trial was obtained which resulted in a division of the jury and it was not till the third or fourth trial was had that the poor man was convicted for what he supposed he had a perfect legal right to do, and he was sentenced to two years' imprisonment for an offense no greater than you yourself have committed. And during that imprisonment the wife and children knew what it was to suffer. The wife could get work but a part of the time, and her children often went hungry. To keep her children from starvation she pawned one article of jewelry after another, one keepsake after another, until everything of value was in the pawnbroker's shop. What could the poor woman do to keep her children from starvation? Her landlord threatened to turn her out doors and to prevent it he suggested that she yield herself to him. In her desperation and to save the lives of her children she consented. A few months afterwards the attorney saw this unfortunate woman arraigned

with low and lawless prostitutes in the police court. He was shocked to see her in such a condition and he took the occasion to ask her what it meant. With tears running down her face she told him of the struggle she had made to keep her children from starving as long as she possibly could until everything of value was gone, when she yielded to the importunities of her landlord and prostituted her body to put bread in the mouths of her little ones and keep a shelter over their heads, and how, step by step, she had descended until she was where she was —utterly beyond hope. "Ah," said the attorney, with eloquence and impressiveness, "if there is a God—if there is a future world of retributive justice and a place of torment—that man Anthony Comstock will have to answer for the human wreck and suffering he has produced!"

He further stated that the cases of conviction of which Comstock loudly boasted had cost the hottest tears of anguish and the keenest pangs of sorrow known to the human heart; and the work had been accomplished by despicable tricks, the basest falsehood, the vilest arts of the decoyer and informer, and treachery of the blackest kind. "More than that," said he, with great earnestness, "Comstock and his accomplice have been guilty of *perjury* in prosecuting the hapless victims whom they have decoyed and thrust into prison."

These are pretty hard charges, Mr. Colgate, to be made against your agent and employee and against the work of your very Christian society, but they are made by a responsible attorney of this city, whom you or any other person may call upon any day, and who can prove in a court of justice the

truth of every word he uttered. It is, unfortunately, *too true!* TOO TRUE! TOO TRUE! This attorney has watched your agent's conduct closely, and he believes him to be one of the worst men he ever knew—although his business has caused him to become acquainted with many very bad men; one utterly lost to every feeling of pity, mercy, or compassion; one wholly unscrupulous, unprincipled, and relentless; one who takes positive pleasure in dragging helpless persons to prison, in ruining their prospects for life, and in utterly destroying the happiness of their families and relatives.

Let me call your attention to a few cases where your agent and your Society have prosecuted and persecuted excellent and honorable physicians who have had the independence and public spirit to give physiological truths to the people not particularly approved by the aristocratic medical schools and colleges, which form as powerful a ring or monopoly as exists in railroading, banking, insurance, office holding, and theology. It is getting to be pretty well known that a physician, however skillful, who attempts to do an independent business and does not acknowledge the power and supremacy of the authorized medical schools is tabooed, frowned upon, and crushed. If he attempts to give medical information and physiological truths to the masses without the approval of the big professors and medical aristocrats, he stands little better chance of finding a clear field for the dissemination of his knowledge than an unauthorized teacher in theology, in either the Catholic or Protestant churches, who fails to receive the sanction of the bishop, the Presbytery, the Synod, the Council, or the Conference. Comstock

seems to be just as ready to prosecute and imprison in favor of orthodoxy in medicine as in theology, and some of his bitterest persecutions have been in this direction. He has said that physiology belonged only to the medical schools and should not be sent indiscriminately to the people. He has said that works on physiology should not pass through the public mails; these works he has pounced upon as being *obscene;* he has so charged them, and, under his miserable obscenity laws and by the aid of the United States courts, he has prosecuted the authors and dealers in them, caused them to be sent to prison, and heavily fined. I will but briefly mention two or three cases.

Dr. E. C. Abby is a resident of Buffalo, N. Y., and is a gentleman of intellectual ability and moral worth. He graduated in in 1861, thus having been a member of the medical fraternity for nearly the fifth of a century. He is a member also of the Masonic order and enjoys an excellent reputation among a wide circle of acquaintances. A few years ago he decided to publish a work on the sexual system and its derangements. Sexual diseases had been made a specialty with him, and he thought he possessed information which the world ought to have. He accordingly wrote it and had it published. It was not accepted by the medical colleges of the country, nor did they approve of such information being placed before the people in a popular form. Before the work was put in type, however, he submitted the manuscript to the U. S. District Attorney in his district, by whom it was pronounced legal and not in conflict with the law. After it was printed he submitted it to some of the ablest medical coun-

sel in the state of New York, as well as the best legal talent, including the Hon. Daniel F. Day and others, who pronounced it an excellent work, calculated to do much good, and unexceptional in a legal point of view. He had not the slightest wish to put forth an improper work, and he took extra pains to get the opinion of competent judges before presenting it to the public. Not a man condemned it, not one thought it immoral, indecent, or obscene. A copy of the work was laid before U. S. Commissioner Fillmore, son of ex-President Millard Fillmore, and he saw nothing in it to condemn. But your man, Anthony Comstock, did see something in it that he could not approve of; it was giving information to the people that he had sworn should not be laid before them. He was determined that nothing treating upon the sexual part of our being should be allowed to pass freely to the masses. He knew it was not a work sent forth from an orthodox medical school and he determined that it should be suppressed. His detective was set at work. Decoy letters were sent, and a copy of the work thus procured through the mail. Dr. Abbey was arrested on a charge of obscenity, and his books seized as obscene publications, and this upon the mere dicta or whim of your Mr. Comstock. He seems to be the censor of the American press and all the publications of the country. Whatever he regards as obscene must be so regarded by all, and who he says must go to prison must be sent there *nolens volens.* The liberty of having such an officious ignoramus to decide what the people of this country may read and what they may not, what they may send through the mails and what they may not, is hardly what our forefathers

fought for when freeing themselves from the tyranny of Great Britain.

The wrong done to Dr. Abbey by seizing his books and holding them without shadow of law, was continued nearly three years. When he was brought before Judge Wallace of the U. S. District Court, he readily admitted having deposited the books in the mail, asserting at the same time that he was proud to do so, regarding it emphatically as his right and duty. The jury that tried him were rather illiterate farmers fresh from their farm-yards, and were hardly a competent body of men to judge of the merits of a work on sexual diseases. By the prosecuting attorney reading to them a few isolated passages, here and there, they were made to believe that the valuable volume was indecent and obscene, and as the case was given to them late on Saturday night, they were anxious to go home and to not be compelled to remain in the court-house over Sunday, so they pretty easily agreed to a verdict of guilty against the doctor. It was a great mistake of opinion and was subversive of the very principles of American liberty. The Doctor was earnestly desirous of benefiting his fellow-beings, and an ignorant detective and ignorant jury pronounced him guilty of crime. His sentence, however, was light, and was never carried out. Dr. Abbey, after being subjected to immense annoyance, expense, and disgrace, was allowed to be a free man again. But Comstock can point his finger at this man and say "he is a convict."

Another case is that of Dr. E. B. Foote, Sr., of this city, author of "Plain Home Talk and Medical Common Sense," "Science in Story," and other

valuable medical works. The first work named has been sold to the extent of hundreds of thousands, and has gone into all parts of the country. It has given great satisfaction from the valuable information it imparts and for the good it has done. Dr. Foote's name is cherished in not less than a hundred thousand families, and his remedies are held in high estimation. He is, in every respect, a very worthy man, as I know from an intimate personal acquaintance. I have met with few men in my life who had less disposition to harm their fellow-men or who had really accomplished more good to his suffering countrymen. I much doubt if he ever wronged a person in his life. But he is not a physician of the regular allopath school, he is not recognized by the regulars of the city, and they have been jealous of the popularity he has gained and of the success he has achieved. Comstock was just the man to bring him into serious trouble. The Doctor had a very small pamphlet gotten up to answer the numerous questions that are propounded to physicians by their patients every day. When the questions, or a part of them, were asked, instead of being obliged to answer them all by writing, he inclosed one of these small pamphlets in a sealed envelope and sent it as first-class mail matter. In this way nobody was harmed, and the most valuable information transmitted to those by whom it was desired. The pamphlet contained not a word that was improper, not a sentence that breathed an impure spirit. The information it contains is valuable and such as ought to be possessed by every adult throughout the land.

Comstock wrote a decoy letter in the name of Mrs. Semler, Chicago, asking certain questions, or

calling for the little pamphlet, and it was sent. For this simple act, which every physician in the land has a perfect right to perform, the United States Government, at the beck and call of your Society and at the immediate instigation of Anthony Comstock, arrested this man and held him under heavy bail, the sa meas though he had committed a heinous crime. His case, after being continued two or three terms, was tried in the United States Circuit Court in June, 1875, where, by the willing testimony of Comstock, the pleading of a salaried attorney, and the severe rulings of a judge who, it would seem, should be more intent on securing the great principle of individual right than trying to convict every case which comes before him, this excellent man was convicted of sending obscene matter through the mails, for which the judge, who should have been a merciful judge, fined him $3,500. The costs of the case, attorneys' fees, etc., made the expense of the suit over $5,000, and the damage to the Doctor's business was more than $25,000, while the poignant sorrow and intense grief which, by this cruel prosecution, was carried to the hearts of a loving wife, an aged, fond mother, and a devoted family cannot be estimated by dollars and cents, and no amount of money can ever heal the wounds thus ruthlessly inflicted.

A greater outrage was never committed on a worthy citizen. A skillful and conscientious physician, for prosecuting his perfectly legitimate business and for transmitting under the sanctity of a sealed letter such information as any physician in the land would be perfectly justified in giving, was treated like a criminal, his family thrust into the

deepest grief, and his prospects for life nearly ruined. Still the vile Comstock, who, in his whole body, has not the honor and true manhood contained in the Doctor's little finger, denounces this worthy man as "a convict," thus trying to pile insult upon injury.

It is mournful to see a Society like yours, which claims to be a moral, Christian society, organized for the suppression of vice, lend itself to the commission of such flagrant wrongs as this case presents, and it is still more mournful to see the great Government of the United States so willingly lend itself, its courts, and judges to hunt down innocent men simply because your Society points them out and denounces them as criminals. If there is any justice in this country, and if wrongs are ever righted, the Government, or the members of your Vice Society, should be made to repair the injury done to this man. I hope some time in the near future to see this matter tested. When such huge wrongs are committed, somebody ought to be responsible.

Physicians in St. Louis, Indianapolis and other places have been treated by your agent in a similar manner, but want of room precludes the mention of their cases in detail here. I may with propriety briefly allude to the arrest of Dr. Sara B. Chase by your agent for selling a simple female syringe, designed expressly to promote cleanliness and health, and similar to what thousands of druggists all over the country are selling every day; how he wrote decoy letters to her in the name of a fictitious Mrs. Farnsworth, how he visited her with a lie in his mouth; how he coarsely arrested her, confined herself and attendants in one of the rooms of her house while he and several men overhauled her writ-

ing desk, private papers and letters, her private closets and under-clothing, and then forced her like a criminal to prison, seriously damaging her reputation in the city and ruining a prosperous, legitimate business. A greater wrong was done to this lady by your agent than he will ever be able to atone for; the vindictiveness with which he followed her up even after the grand jury dismissed her case, by trying to thrust his testimony before other grand juries, even in opposition to the judgment and wish of the prosecuting attorney, received the just condemnation of the Judge as well as of the *Tribune* and other city papers.

In the domain of art, Mr. Comstock has shown little more discretion or gentlemanly bearing than in other directions, but the same coarse, overbearing, tyrannical demeanor to every one who has the least love for liberty and self-supervision. His conduct in reference to the Hans Makart picture is still fresh in the minds of the public. The picture was a copy of the celebrated painting which attracted such a large share of attention in the Paris Exposition of the past year. The subject of the picture is the triumphal entry of Charles V. into Antwerp, and two or three partly nude, but perfectly chaste, figures are presented. This picture had been on exhibition at the picture store of Wm. Schaus, and another one at Westerman's book store, where thousands of admiring beholders have studied them with pleasure. When, however, Mr. Hope, a Fulton st. merchant, bought the picture and placed it in his window your man Comstock took the notion into his head that it was an obscene picture and that it must be suppressed. He ordered Mr. Hope, in a peremptory

manner, to remove the picture from his window or he, Comstock, would arrest him for obscenity. Thus the picture, upon which, as a work of art, hundreds of thousands in Europe and America had gazed with a high degree of pleasure, your agent pronounced an indecent picture, and, on pain of arrest, commanded hat it be removed from public observation. It is not strange that the papers of this city, and in fact all over the country, cried out against this vandal outrage; and it is well that the active man of your Society learned a little discretion for once, and did not arrest Mr. Hope.

On one occasion Mr. Comstock is said to have called at Messrs. Knoedler & Co.'s, 22d st. and 5th avenue, and bought a photograph of a modern French picture on which nude figures were represented; he demanded a bill of sale, and then, in his usual authoritative manner, ordered Mr. Knoedler to sell no more of those picture or he would arrest him. It is needless for me to inform you that the publications of this house are of the highest character.

At another time Mr. Comstock called upon C. T. Hooper, picture dealer, in Nassau street, and threatened arrest and seizure on account of the exposure of a large, fine-line engraving of "Printemps," by Cot, a French artist of great ability; and also one of "Fauns and Satyr," by Bougereau. The first picture is from the original in possession of John Wolfe of Fifth avenue, which occupied a place of honor in the Salon of 1873 and also was the principal attraction in the Loan Exhibition of November last. Mrs. A. T. Stewart owns a copy, ordered from the artist by her late husband, and a well-known collector in Philadelphia has secured a copy. The

"Fauns and Satyr" is also in the possession of Mr. Wolfe. The photographs and engravings of them have been sold very extensively and are to be found in many of the best homes in this country and England. Mr. Hooper, knowing his rights in the premises, ordered Mr. Comstock from his store and forbade further interference from him. It would be well if every one Comstock has attacked and attempted to browbeat had been inclined to treat him in the same way.

In a similar imperious manner has he suppressed the sale of photographs of "Powers' Greek Slave," upon which hundreds of thousands have gazed with rapture and the original of which is now in the residence of Mrs. A. T. Stewart. Pictures of other statuary have also been pounced upon by Mr. Comstock under the charge that they were "obscene."

He has made himself very meddlesome with photographers, interfering with their legitimate business, seizing and carrying off their stock and apparatus, without the least show of right or justice, because he found there copies and negatives of classic statuary.

The case of Mr. Weil is remembered by many. This gentleman was a photographer, pursuing a legitimate and honorable business, on Broadway, near Twelfth street. He was a quiet, well-disposed citizen and indicated no inclination to violate either the laws of morality or of the country. Comstock or his assistant visited his gallery and asked for fancy pictures. Mr. Weil informed him that he kept nothing of the kind and had never made anything of the sort. Comstock wished to know if Mr. Weil would make some fancy pictures for him if he, Com-

stock, would furnish the negatives and was answered emphatically, "No." Comstock in peering around the gallery discovered a picture Mr. Weil had taken of his own little boy in undress; this Comstock pronounced "obscene," and made it the provocation for seizing a quantity of Mr. Weil's negatives and other stock and carrying them off and submitting him to not a little trouble and expense.

The recital of similar cases could be continued at great length, but enough has been repeated to show you and any fair-minded person that Mr. Comstock is an unfit censor of the fine arts, and that his manner is coarse, domineering, and offensive. He is not the person to perform the work of a strictly moral, upright society.

It is toward publications of Freethought and what is called Freelove that Comstock has shown a greater amount of enmity, injustice, and cruelty than toward any other class. His first attack in this line was upon Mrs. Woodhull and her sister for publishing in her paper an account of the "Brooklyn Scandal," which two or three years later every daily in the city and hundreds of papers all over the country published far more freely and with perfect impunity. He caused their imprisonment for many weeks; stopped their paper, and subjected them to the loss of many thousands of dollars. Whether they were popular or not, whether their views were correct or not, is not pertinent to the case; they had their rights in this country, and it was cruel and unjust for your agent to wrong them and oppress them.

John A. Lant was another of his victims—a poor printer, who came here from Toledo, O., and who published a small Radical paper, called the *Toledo*

Sun. For publishing a few paragraphs of matter, in perhaps questionable taste, but not immoral or obscene, Comstock caused his arrest, conviction, and sentence to a fine of $200 and eighteen months' imprisonment. It was indeed a trivial offense for which to tear a man from his wife and little children who depended upon him for their daily food, and to immure him in prison with thieves and felons of all kinds.

Ezra H. Heywood is one of his later victims. His offense was mailing a copy of "Cupid's Yokes," a pamphlet of twenty pages, devoted to an argument on the relations of the sexes, but which does not contain an indecent or improper word. By unheard-of rulings, and by the action of a deeply prejudiced court, he was convicted and sentenced to imprisonment for two years. This was unquestionably one of the greatest outrages ever perpetrated upon an American citizen. Mr. Heywood is a graduate of Brown University, and is a gentleman of refined feelings, strictly moral character, and far from being sensual or debased. His strict honesty is vouched for by all who are acquainted with him. He is radical in his views on capital, labor, finance, and interest, as well as on the questions of marriage and divorce. He has published several pamphlets on these subjects, and in them he has given his honest convictions, and with the very best motives. But for mailing a copy of one of these pamphlets to a fictitious personage, in response to a decoy letter, sent by your man Comstock, he was most cruelly and wrongfully forced from his wife and little babes and treated like a felon of the deepest dye. And this in free Columbia—proud America—the land of

the free and the home of the brave! Can it be true that American freedom has degenerated to this, that a man cannot argue on any subject in the world, and give his convictions on the same? Has not a man a right to advocate a fallacy, even? Has it come to this, that a man must be sent to prison for telling what he thinks, and for giving reasons for what he believes? Yes; American liberty has descended just to that, under the influence of your Vice Society and the power vested in the hands of its agent, Anthony Comstock.

In his pamphlet on marriage, divorce, and the relations of the sexes Mr. Heywood's views may not be the correct ones. But who is going to decide what a man's views must be on social questions any more than on political or theological? Must not every man, in this country be left free to arrive at his own conclusions on all subjects; and are the American people going to submit to being fined and imprisoned because their views on any subject do not just tally with what some theological school may hold to or some rich, aristocratic society may prescribe? Mr. Heywood sees great wrongs in society as at present organized; he sees a vast amount of unhappiness, and wretchedness in the old marriage relation; he sees that a change of some kind is needed before men and women will be as happy as they ought to be. He believes there is a better way of adjusting these sexual relations than has generally been pursued. He thinks he advocates a real remedy; but he may be mistaken. The question is a live one and is bound to come to the front for attention in spite of Anthony Comstock or the reports of your Society. It is a subject upon which much must

be thought and said. Many will have their views and many will necessarily have to express them. The proper way will be to let every man have the freedom to give his views and show his reasons for them. Those that are sound may be accepted, those that are found unsound may be rejected. Let all be free to express their minds and make their suggestions, whether wise or otherwise, and don't send them to prison for doing so.

Two indictments are now resting upon myself for selling and mailing this identical pamphlet, "Cupid's Yokes;" for this, in two weeks or thereabouts, I am to be arraigned like a felon before the United States District Court, and for this a prison cell is awaiting me; for this you, your agent, and your Society are endeavoring to crush me and ruin my business.

In August, 1878, I attended a convention of liberal-minded people held at Watkins, N. Y., and I took with me an assortment of my various publications with which to supply my friends. Near my table Miss Josephine S. Tilton, sister of Mr. Heywood's wife, had an assortment of her brother-in-law's pamphlets endeavoring to obtain a little money to keep Mrs. Heywood and her little babes from starvation while the father was serving out his term in prison. I, of course, sympathized with Miss Tilton in her laudable endeavors. When she was necessarily absent from her table, and some person wanted one of the pamphlets she had for sale, I handed him the same and gave the money to Miss Tilton upon her return. One young man made oath that I sold him a copy of "Cupid's Yokes." Probably I did, and I had a perfect right to do so. For this I was arrested with three others and held

to bail. For this offense the grand jury of the county found a bill against me; and for this I am yet under bonds, the case not yet having been tried. I have the authority of Comstock's father that I am indebted to the son for this arrest, and that, at the son's suggestion, the branch of the Y. M. C. A. in Watkins commenced prosecution against me. One thing is certain, the arrest and prosecution was planned and urged by the clergy and leading church members of Watkins.

I felt that I had done nothing but what an American citizen had a perfect right to do and that I had been wronged and outraged in the name of law. I resolved that I would maintain my rights; and though I took no special interest in "Cupid's Yokes," and had, previous to that time, sold but a very few copies of it, I would exercise my right, and sell it, and send it to any of my patrons who wished it. I announced in my paper that I would do so. I accordingly sold many copies of the pamphlet. Here was Comstock's opportunity. Backed by instructions from your Society—for his defenders say he begins no attack upon any one save by authority—he wrote a decoy letter to me in the name of G. Brackett, Granville, N. Y., sympathizing with me in the work in which I am engaged, and ordering a copy of "Cupid's Yokes" and two other books. The order was filled in good faith, precisely as any other bookseller would have done. For this you and others seek to deprive me of my property, my liberty, and my rights as a citizen. I sold a little work far less objectionable than hundreds of others, and one with which my own feelings are not fully in sympathy, as every bookseller in the country

does. There is not a dealer in books in America who fully coincides with all the books he sells, but he sells them because his patrons want them and because he has a perfect right to sell them. I have just done this—no more and no less. Thousands of people have read the pamphlet who have been unable to find the first word of obscenity or indecency in it. Many think it a very meritorous little work, while others disagree with some of its sentiments and teachings, but not on the ground of any indecency of language. Many experts in literature have read it carefully, and have been unable to find anything in it calculated to injure anybody, and nothing for which a person should be sent to prison for reading, for owning, for selling, or for mailing. It would seem that a jury could hardly be found in this city who would send a man to prison for selling so harmless a little production. Among the many thousands who have read the little pamphlet, I do not believe one has received the slightest injury. I have never heard of a single case. It was not written to excite passion but to elicit thought. It is not a pamphlet the young would read, being dry and prosy. But when it is remembered that your Society boasts that of the two hundred and fifty cases that have been prosecuted but twelve have escaped conviction, it is a discouraging outlook for your humble servant. I feel, however, that I have committed no offense against the laws of morality or the statutes of the country. I await my fate with full confidence in my innocence and buoyed up with the hope that I may have a fair and just trial and that the heavy hand of oppression may not be placed upon me because I have had the

honesty to acknowledge to holding unpopular opinions and have been true to my convictions.

In mentioning the cases of arrest and prosecution by your society, or by your agent, I have named but a small number of them. I might have called attention to the cases of Charles Mackey, James Sullivan, John Manning, Hunter & Co., David Massey, Dr. J. Bott, Mr. Kendall, Dr. William Morrison, Edgar W. Jones, Edward W. Baxter, Madam Restell, and two hundred or more of others who have experienced the great unhappiness of being arrested and persecuted by your agent, but a consideration of all these cases, even briefly, would consume too much time and room. Some of them doubtless were not innocent of all offense, but the most of them had not committed such wrongs as made the prison the best place for them; and very few of the number were guilty of real obscenity. In most cases, their offenses were unduly magnified, and their punishment was out of proportion to their offenses.

As a specimen of your agent's true character, allow me to make a brief allusion to the very disreputable business, which he was guilty of, of inducing with money and persuasion three frail young women to exhibit their nakedness for an hour and a quarter before himself and five other men. This was done at 224 Greene street, on the 14th of June, 1878, as was proved by sworn testimony in one of our courts of justice. It was a deeply disgraceful affair, and it is difficult to think you or your society should have ever ordered such a shameful transaction. But he says, the Rev. Joseph Cook says, and I believe you also said, that Mr. Comstock commences operations against no person except by the advice and author-

ity of your Society. If that statement is true, you and your brother members in your Society must share with Comstock in the damnable disgrace connected with that despicable affair. At all events, this much is true, the facts of the dirty business have been brought to your knowledge, and you still commend him and his conduct, both in public and private. It is difficult to see how you can escape the ignominy which justly rests on him. Had I been guilty of such vile conduct, I could not blame you for seeking to send me to prison, and could not say I did not richly deserve it. It certainly was a thousand times worse than selling a copy of "Cupid's Yokes."

As an instance of the hypocrisy and foulness of Comstock's character, it is only necessary to call your attention to a dirty game of his played in the autumn of 1877. In the *Waverly Magazine* for November 10, appeared an advertisement of this kind: "To Sports.—An elegant book will be sent on receipt of fifty cents. Address J. G. Phillips, Box 49, Squan Village, N. J." The advertisement was shown to me as Comstock's. I was the more inclined to think it Comstock's by its hailing from Squan Village, Comstock's country residence. It was from Squan Village that he sent a decoy letter to Heywood; it was from Squan Village that he sent his decoy letter to E. W. Jones; it was from Squan Village that he sent a decoy letter to Dr. Wm. Morrison; and it was from Squan Village that he sent a decoy letter to myself. I decided to test the matter as to whether it was Comstock advertising. I induced a friend to send for one of the books. He

did so, giving his middle name instead of his surname. He sent a registered letter.

In a short time the registered letter receipt was returned, bearing the signature of J. G. Phillips, and soon came to my friend's address a copy of the New Testament—a very cheap London edition—and on the wrapper was a small card giving the address of 150 Nassau st.—the headquarters for your Society and Comstock's office. This was followed by a part of a very filthy book called "Pleasing Memoirs," with a cut of the most indecent and obscene character. Remember, the book was ordered in a name that had never been given to any other person and had not been used on any other occasion. The registered-letter receipt came to that address, the Testament, bearing the number of Comstock's office, was sent to that address, and the nasty, obscene book was sent to the same address. These facts unmistakably connect the sending of each with Comstock. Besides, I sent a person over to Squan Village to learn of the postmaster there who was the owner of box 49. He learned that that box was Comstock's, and that Anthony Comstock, J. G. Phillips, E. Edgewell, S. Bender, and Ella Bender were all one and the same person. This sending of obscene books by the active agent of your Society for the Suppression of Vice is most disgraceful and reprehensible. He is indeed a pretty sort of man to be inspector and judge over other people's morals and to be able to send them to prison on his unsupported testimony.

I have said but little about Jos. A. Britton, alias Cohen, alias Andrews, alias Levy, Comstock's aid and assistant, and who for five years has been in the employ and service of your society. I only repeat

what is well known when I say he is lost to all that is honorable, manly, and virtuous, that he is a gambler, that he visits places of vice and degradation, that he takes women of low character to drinking places, that he has attempted on many occasions to sell vile and infamous books, that he is not only a notorious liar, but has several times committed perjury. These are somewhat heavy charges, Mr. Colgate, against one of your agents, but they are true and can easily be proved. You have only to test the thing if you wish the proof to be forthcoming. There are many in the city who understand the young man pretty well. If you are curious to know more about him than you do, I would recommend you to inquire of M. Sullivan, the paper dealer, and Dr. Mitchell on Frankfort street. They can, if they wish, give you damaging facts as to the man's vile character. His conduct at New Canaan, Conn., about a year ago, where he went to play the part of a spy, and where he told falsehoods, got drunk, and associated with females of low character, are well remembered. Still he is a member of a Christian church in this city, and is an acting, salaried agent of your Society for the Suppression of Vice, to do your dirty work.

Comstock is no better. Like master like man. He is guilty of more crimes than ought to disgrace the blackest character of any state-prison convict. There is believed to be nothing mean, low, and dishonorable that he will not resort to to get an unfortunate man into deep trouble. He is perfectly unscrupulous and relentless. There are a number of men in this city and elsewhere who are ready to make oath in any court of justice that he perjured

himself in securing their convictions. This is the man who is trying to send me to prison; this is the man you uphold and defend, and this is the man whom such clergymen as Joseph Cook, Parson Newman, and the Rev. Mr. Courtney exalt to the position of a saint, and some of them even liken to Jesus Christ.

It may be thought I speak extravagantly, but every word is true. Every charge can be sustained by proof in any court in this city. It is very easy for you and Joseph Cook to say these charges are false and that you have advised him not to reply to them. Probably it is the easier and the wiser course. There are many things easier to keep silent about than to disprove. If I have libeled your agent it is not difficult to make it appear by bringing me, on a charge of libel, before a court of justice. If that is done, and I do not succeed in proving one of the blackest characters against him that ever disgraced a human being, then I am much mistaken. And this is the man whose unsupported word has sent many a person, better than himself, to an ignominious prison and damned their reputation for life. This is the man who has committed greater wrongs upon individual rights and personal liberty, probably, than any other individual in the United States. Still you employ him to do the very contemptible business he is doing; you approve of what he has done, and thereby make yourself a sharer in his guilt. In my humble opinion, yourself and the others who hire him and pay him to deprive people of their rights ought to be made amenable for the outrages he commits. If a man keeps a vicious dog which kills other people's sheep, and attacks and

tears even little children, and the fact of the dog's conduct is brought to his knowledge, law and justice hold that man accountable for the outrages his dog commits. It ought to be so in this case.

It may be thought I am vindictive, but I trust I am not governed by so mean a spirit. I feel that the truth ought to be told about the man your Society has under pay for doing the meanest acts a being was ever guilty of, and I am resolved I will speak out if I go to prison to-morrow in consequence. That man has done me irreparable injury. I was peaceably and honestly pursuing a legal and legitimate business. He preferred false and disgraceful charges against me. He dragged me off to prison, or as far towards it as he was able to take me. He caused false and damaging charges to be published against me in the papers of the city and to be telegraphed all over the country. He has seized my goods, without right or justice. He has carried them off and never returned them. He has tried to destroy my business. He has ordered my printers, on pain of imprisonment, to print no more papers for me. He has threatened the News Company with prosecution if they sold my papers. He has threatened a news-dealer selling my publications—Paine's Works, Ingersoll's Lectures, etc.—with arrest if he offered them for sale again. He has falsely accused me of forgery. He has falsely accused me of obscenity. He has followed me with vindictive hate. He is trying to deprive me of my property, my liberty, and my reputation. He has visited upon me repeated arrests, and in a few days I am, at his instance, to be brought before one of the highest courts of the land to defend myself as a criminal

against his false and disgraceful charges. Is it strange that I feel impelled to speak the truth about him? Is it strange that I hold up his real character to public view? I am forced to do it in self-defense. It is he who began the conflict, not I. I am only defending my inalienable rights.

I understand the disadvantages I labor under. He is called a *Christian*. I am called an Infidel. He has at his back your Society, composed of rich and honorable (?) men, the Young Men's Christian Association—representing millions of dollars—the Christian church, and last of all, and most to be deplored, the Government of the United States. I have a few friends, without influence. It is a foregone conclusion on the part of your Society and your agent that I am to be crushed. The false pretext of obscenity is to be pressed against me, and I am to be sent to a felon's prison. This is the programme that has been marked out and it remains to be seen whether justice has departed from this country or not. If I could believe that Joshua stopped the motion of the heavenly bodies, that Elijah was taken up bodily into heaven in a whirlwind and a chariot of fire, that three young men were cast without harm into a fiery furnace seven times hotter than ever, if I could believe that Jonah swallowed the whale, and all the rest of it, or would only pretend that I believed all these, I would not be troubled by your man Comstock. I could sell "Cupid's Yokes" and the "Open Letter" to my heart's content, and no United States' marshal would be sent after me to drag me to prison. But for being true to myself, and taking the unpopular side of theological questions, I am to be hunted down like a dog and thrown into a loath-

some prison. You, Mr. Colgate, are aiding in this pursuit against me. My enemies are numerous and powerful. May I escape their toils, and remain a free man yet a few more years when my body will be consigned to mother earth!

Yes, it is the saddest part of this grim farce that our Government is made a party to it, and that its officers should, at the beck and call of such a man as Comstock, hunt down and ruin well-disposed people. Your agent, backed by your Society, the Y. M. C. A., and the influence of the Christian church, aided by a bagful of smutty pictures, procured the passage of what is called the Comstock Postal law, by which certain mail matter is declared not to be mail matter, and not to be carried or delivered by any postmaster, deputy, or letter-carrier; thus making the people's mails subject to censorship and inspection on the ground of morality, decency, etc., and this is applicable to every postmaster, clerk, and letter-carrier who handles mail matter; for how can they tell that matter is not mailable, or not deliverable, unless it is inspected.

In this very particular your agent accomplished a greater wrong than he has been able to do in any other way. He subverted the rule under which our Government was established and under which it prospered for nearly one hundred years. His law has given power to post-office clerks and officials to inspect the mails for its morality, or its immorality, and to throw it out though duly and legally stamped. It makes a direct attack upon the freedom of the press, for any law which establishes a censorship of the products of the press is a positive attack upon it, and may ultimately crush it. It has made the

sending by mail of certain matter punishable by heavy fines and imprisonment, when all the other avenues are left open for its transmission. It gives to judges and juries the power to send persons to prison for an offense that has not been defined, and which can be construed and stretched to fit such a case as mine. In view of this fact you and your agent felt impelled a year ago to announce to your society and thereby to the public that "Freethought and Freelove publications would soon be stamped out." It was because you were able to count upon the Government of the United States, in the capacity of a police court, to second your efforts that you thouget you could crush and imprison any one who does not enunciate such doctrines as you and your Society see fit to demand.

Yes, it is a sad fact that the great and proud Government of the United States has constituted itself a detective and police force to hunt down those who are sending improper books and pictures through the mails, and those who are recommending means to prevent conception, whether by the use of *vaseline*, syringes, or any other article. Is that really the business for which this Government was founded? Would it not be enough to make Washington, Jefferson, and Adams smile with a ghastly, grim smile could they see Government employees hunting through the mail-bags to see whether the matter the people stamp and deposit there possesses the proper moral and decent qualities to constitute legal *mail matter;* and also Government officials and agents dragging off to prison some man or woman who had sold or recommended a syringe, an ounce of sulphate of zinc, or two ounces of vaseline? I tell you, Mr.

Colgate, the enactment of that law was a great mistake. The duties of the general Government do not lie in that direction at all. The punishment for all offenses recognized by state laws belong exclusively to the states. The province of the general Government does not legitimately consist in playing the spy nor hunting down and punishing individuals for any opinions they may hold. Attorney-General Devens was quite right in saying, when writing to a friend, touching this case of mine, "This charge against Bennett should be tried in the courts of the state. The general Government has nothing to do with it," or words to that effect. It is most true. The punishing of obscenity properly belongs to the states, the same as larceny, libel, forgery, perjury, arson, manslaughter, and murder. The general Government has nothing to do with either. It is not responsible for the morals or the opinions of individuals.

Still, Comstock's greatest victories over the rights of persons have been in the United States courts. You know yourself, and the fact has been included in the annual reports of your Society, that more than ninety per cent of the convictions in Comstock's prosecutions—unjust ones, too—have been in the United States courts. Its marshals, attorneys, commissioners, and judges have been dragooned into the service of Comstock and his dirty work until the courts of our great country have been justly styled "The American Inquisition." And a certain class of men like Joseph Cook think it belongs to the United States to prosecute obscenity cases because the mails may be used in its service. He said, with a great flourish, the other night, when

your Society held its fifth annual meeting, and he was the principal speaker, "There are no state mails! How can the state prosecute these cases?" The state can prosecute the circulation of obscenity, however effected — whether by mail, express, railroad, steamboat, horseback, muleback, in the pockets of men and women, or in any other conceivable way. The state equally furnishes no express companies, no freight lines, no steamboats, no printing establishments, no stores, no individuals to produce or circulate obscene publications, yet it surely has the ability to punish obscenity where any of these agencies are employed in issuing or circulating it. Until the states are proved incompetent to punish these offenses the general Government had better keep its "hands off."

And I call upon you, Mr. Colgate, to bear me witness in the statement that the great bulk of really obscene publications—fully nine-tenths of it—was driven from this market before the Comstock postal laws of 1873 were passed and before the courts of the United States were suborned into the obscenity crusade. It was easily accomplished and with very little expense to the state. No heavy trials, no long imprisonments, no great oppression to individuals were necessary. A few seizures and a few simple arrests were all that was necessary, and very little really obscene matter has been in the market since. You made this truth clear when you said in the last public meeting of your society, that "*no obscene books are being printed or circulated.*" But this fact, My Dear Sir, as I said, is not due to the United States postal law, to Judge Benedict, to the United States courts, to your Society, nor to the

expenditure of the $40,000 or $50,000 which your Society has used in prosecuting one hundred and fifty comparatively harmless individuals and in making five times as many more intensely wretched and unhappy.

It does seem to me, Mr. Colgate, that there has been no real necessity for the existence of your Society, nor for keeping two agents employed at high salaries to arrest people for dealing in obscenity, when you yourself admit there is little or none to deal in; when there has not been for several years; and if there were, the regular police force of the city and country are fully able to combat it. Ten or fifteen years ago there was a good deal of the vile stuff sold in this market, but this state of things grew out of a general laxity and indifference on the part of those who should have been more watchful; but when a slight effort was made to get rid of the offensive trash, how easily it was accomplished, and without any United States laws or United States marshals or courts. Your agent, it is true, yearly puts out a report of the tons of obscene matter he seizes as he did in the Rochester case in November last; but you must yourself know that these representations are untrue. They are all about as false as that in reference to the Rochester advertising doctor. His "millions of obscene circulars" had not an obscene word in them and contained not even one obscene allusion. He professed to sell a preparation to prevent conception. You have done the same. It would be just as true, and equally as just, for Comstock to have seized a million of your pamphlets as obscene publications, and have published to your Society and to the world that five cart-loads of

obscene pamphlets, costing $1,000 had been seized from a John-street firm dealing in obscene literature. Had such a course been pursued towards yourself, you probably would have been better able to appreciate the cruelty and injustice of that kind of business than you are at present. You are asked to notice that there is not a vast amount of difference between the offense of the Rochester doctor and that of yourself. You are advertising and selling an article recommended, when combined with a certain acid, for preventing conception by destroying the spermatozoa, while the Rochester man claims to do the same thing by checking or preventing ovulation. If his process or claim is any more obscene or immoral than the one you advertised, I am unable to see it. He may be more of a charletan than yourself or Dr. DuBois, but charletanry is not a felony.

Many sensible people are able to comprehend the propriety of checking over-population, and the two large addition to poor men's families, by prudential preventive measures. Celibacy, continence, and chastity are effective in this direction; and there are also other means prescribed entirely harmless in their nature, but all are criminal according to Comstock's law, and by that law the United States officers are required to hunt down and imprison persons who publish and send through the mails a book or an advertisement that gives the slightest information as to how such a desirable object may be effected.

Much of the loud claims which Mr. Comstock has made about vast amounts of obscenity seized, and dealers in obscenity arrested and convicted, when sifted down to the real truth are much like this

Rochester case, totally without foundation in truth. The big stories about the tons of obscene publications with which our schools and seminaries are deluged, which Comstock and Joseph Cook delight in telling to old women of both sexes, are nearly all untrue. The charges of this kind which Comstock last year brought against the Brooklyn schools were pronounced by the superintendent utterly false. The same is true in nearly all the cases with which the public ear has been tired. The facts have been grossly exaggerated. But even if some fool should decide to spend thousands of dollars in getting up vile publications to send gratis to schools and academies, or if some villain should be wicked enough to carry out such a senseless scheme, how easy it would be for the teachers of the schools to frustrate the diabolical work by examining the mail matter of their pupils before it is turned over to scholars. This is so easy of accomplishment that it seems unneccessary to attack and break down the very principles of a free press and free mails under the pretense of protecting school children. The little children of course have their rights, but American citizens have theirs also; and it seems a great pity that the rights of the entire country should be destroyed upon false premises and false representations. *The Methodist* was correct when it said that an infringement of the rights of the people and of free mails was a greater evil, even, than the circulation of vile literature, and that "the remedy is worse than the disease." This question never should be lost sight of, whether any supposed benefit that is gained by the sacrifice of the highest principles of liberty, and the

people's dearest rights, may not cost more than it is worth. It is bought too dear.

It is, My Dear Sir, quite a debatable question whether Vice Societies in England or in this country have proved a blessing to the people. They certainly have been the means of depriving many persons, not intrinsically bad, of their dearest rights and privileges, and have caused the deepest and most poignant sorrow to hearts not deserving of it. The remarks of Sidney Smith upon the original Vice Society in London, from which yours was modeled, are worthy of being quoted here: "It is hardly possible that a society for the suppression of vice can ever be kept within the bounds of good sense and moderation. If there are many members who have really become so from a feeling of duty, there will necessarily be some who enter the society to hide a bad character and others whose objects it is to recommend themselves to their betters by a sedulous and bustling inquisition into the immoralities of the public. The loudest and noisiest suppressors will always carry it against the more prudent part of the community; the most violent will be considered as the most moral, and those who see the absurdity will, from the fear of being thought to encourage vice, be reluctant to oppose it. . . Beginning with the best intentions in the world, such societies must in all probability degenerate into a receptacle for every species of tittle-tatle, impertinence, and malice. Men whose trade is rat-catching, love to catch rats; the bug-destroyer seizes on his bug with delight; and the suppressor is gratified by finding his vice. The last soon becomes a mere tradesman like the others; none of them moralize

or lament that their respective evil should exist in the world. The public feeling is swallowed up in the pursuit of a daily occupation, and in the display of technical skill. . . . An informer, whether paid by the week, like the agents of this society, or by the crime, as in common cases, is in general a man of very indifferent character. So much fraud and deception are necessary for carrying on his trade—it is so odious to his fellow-subjects—that *no man of respectability will ever undertake it.* It is evidently impossible to make such a character otherwise than odious. A man who receives weekly pay for prying into the transgressions of mankind, and bringing them to consequent punishment, will always be hated by mankind, and the office must fall to the lot of some man of desperate fortunes and ambiguous character. If it be lawful for respectable men to combine for the purpose of turning informers, it is lawful for the lowest and most despicable race of informers to do the same thing; and then it is quite clear that every species of wickedness and extortion will be the consequence."

Moncure D. Conway, in a discourse recently delivered in London, on "Liberty and Morality," and touching this same subject, used this language: "It would appear that to these the circulation of many thousands of a book they call vicious is of little importance compared with making a sensation and parading their own spotlessness before the public; and beyond this it is to be feared that a still baser influence has been at work to degrade this association of (originally, no doubt) well meaning though weak-minded people. *There is money in it.* A good deal of patronage and wealth has gone into

it in the past, and its agents are highly paid; and if this stream of money and patronage is to continue to flow and gladden the host of agents, they must keep up a show of activity. They must always be attitudinizing purifiers of society. If the nests of crime and vice are trampled out, and the funds begin to fall low, they must try and make their subscribers think there are nests where there are none; and knowing well how unpopular Freethinkers are, how few friends they hav in high places, they found among them a book which repeated the details of ordinary physiological and medical books—a book whose pages, with all their faults, are nowhere of biblical impurity. It must have brought their secretaries and their lawyers and their secret-sevice agents a golden Pactolus from orthodox purses to thus prove that the society might do injury to Freethinkers under cover of attacking immorality. The old privilege of the orthodox to imprison their opponents—the privilege so loved but lost—must seem about to come back again when it has been decided that facts familiar in the libraries of medicine and science cannot be printed by a Freethinker in a form accessible to the people without imprisonment. They know that many of these Freethinkers value their freedom highly enough to go to jail for it, and they are, no doubt, hoping for more victims and a flourishing business, with plenty of vice to suppress."

There is little doubt but that the love of money has more to do in inspiring your agents to activity in making arrests and securing convictions than has a love of virtue. Before Mr. Comstock fully embarked in his crusade against obscenity, and while he was still engaged at selling dry-goods for Cochran

& McLean, upon his making known to a friend his purpose to prosecute venders of indecent literature, and when he was asked why he had decided to engage in a business that required so much deception, intrigue, decoying, and cruelty, he is reported to have replied, "There is money in it." His own brother-in-law is also reported to have said the same thing of him. Said he, "Anthony never went into that business for any love of morality or virtue, but for the purpose of making money." Indeed, pecuniarily, he has done exceedingly well at his vile trade. $4,000 a year, with perquisites amounting to several thousand more, is exceedingly comfortable these hard times, and in view of this, it may easily be understood why he is so anxious to continue his heartless work. But when it is remembered at what a cost of heart-aches, anguish, wretchedness, and sorrow he has won his thousands, it ought to be enough to make the possession of the money burn his very conscience and cause an honest, sensitive, merciful man to cast his ill-gotten gains into the sea.

I would gladly persuade you to dissolve your organization called the "Society for the Suppression of Vice," which has proved itself a society for the suppression of constitutional rights and liberties, and to leave that kind of detective work and police service to the regular police department, which, as I have already said, is fully competent to grasp with the evil of obscenity. If I could be successful in this, I would consider that I had been instrumental in conferring a great favor upon the unfortunate and oppressed. It is dangerous for societies and classes to organize themselves for the purpose of looking after the morals of others, and

for throwing them into prison for holding opinions unlike their own. Such societies will be exceedingly liable to grow into engines of oppression and cruelty, as I honestly believe has been in the instance of your pet society. If the motive to do good, with you and those associated with you, is so great as to compel you to seek the avenues where evil exists that it may be put away, let me call your attention to the appalling fact that there are said to be 10,000 drinking-houses in this city where drunkards are regularly and continuously made. There are said to be thousands of houses of ill-fame and of assignation where female virtue is bartered away for money, and where the most loathsome and injurious diseases known to the race are engendered. There are gaming houses, and swindling establishments in great numbers. In these and other directions great chances exist for doing good. If your Society really wishes to cover itself all over with glory instead of ignominy, let me suggest that you turn your attention in some of these directions, and no longer continue to oppress and imprison the unpopular and unfortunate for committing no crime at all. Why spend $8,000 or $10,000 a year to suppress an evil that you admit has scarcely an existence when there is such an appalling amount of positive evil on every side?

But if you will continue your Society and will persist in hunting for obscenity where it is not to be found, let me, at all events, urge you to discharge your present agent and employ one who has some capacity to be a censor of literature and the press; who has a shade of mercy in his composition, who has a slight conception of honor, truth, and justice.

If your representative is to have so much power placed in his hands to wield over the heads, fortunes, and lives of human beings, do seek one that has a few qualifications for the business besides the voracity of a wolf, the ferocity of a tiger, and the cruelty and savageness of a hyena.

Why not act for once on the sensible suggestion of the N. Y. *World*, made on the day following your last annual meeting. It said: "The Society for the Suppression of Vice, as appears from a report of its anniversary meeting of last night (Jan. 29), which we print elsewhere, is beginning a new year. Now, therefore, is the time for its most excellent managers to revise its lists of employees. The work to be done by them is delicate and open to misconstruction; they should be selected for their tact, discrimination, disinterestedness, freedom from malice, coolness of temper, judicial impartiality, and, above all, for the anxiety to suppress vice in the least sensational way and by the least self-aggrandizing methods."

The greatest evil effected by your Society and your agent, as I said, was the influence exerted by them in the passage of the postal law of 1873, styled the Comstock law, which, to my mind, is clearly unconstitutional and is in positive opposition to the principles of free speech, a free press, and free mails incorporated into our Government by the fathers who framed and adopted our glorious Constitution. It introduced the system of censorship and espionage into our postal department, which, when fully understood, must ever be repugnant to the better portion of the American people. It is not necessary for me to call attention to what influences of the

church were brought to bear in inducing the enactment of this law, or to the disgraceful manner it was carried through the expiring hours of the Forty-second Congress, notorious for the enactment of subsidy laws, salary grabs, doubling of salaries, etc., etc.; and this, too, without deliberation or consideration, with hundreds of other bills, and when a large portion of the members were absolutely in a state of intoxication. We have had too many instances of much ill-advised and worse than useless legislation being crowded into a short space of time and with improper motives. This law was not called for by any considerable portion of the American people; it was passed without the knowledge of the people, and it was done even on the Sabbath day, which fact, with many, would make it illegal. It is not for that reason that I complain of it, but for the violence it does to the vital principle of American liberty under which this country flourished for a hundred years until a Comstock and a Vice Society gave it a fatal stab in that unfortunate and ill-advised law. I will not detain you by giving at length any views I may entertain respecting it. I have done so on other occasions. For an exhaustive argument upon the law, let me refer you to that written by Mr. T. B. Wakeman of this city, and published by myself. Let me here, also, give a brief quotation from the daily *Sun* from remarks by the editor upon this specific law:

"We do not believe in the constitutionality of the law under which this conviction [Heywood's] took place. The Government has nothing to do with the moral or intellectual quality of the matter transmitted through the mails. It has no right of

discrimination. If it may discriminate for a good purpose, it may discriminate for a bad purpose. The power is fraught with too much danger of abuse to be safely intrusted to the Government.

"In early anti-slavery times a determined effort was made to exclude from mails in the slaveholding states every denunciation of the sum of all iniquities, human slavery. The people protested against the espionage put upon the mails, against the interference with the freedom of the press. We condemn the attempt to interfere with the mails now, though it be with a very different intent, because it violates the same great essential principles of liberty."

Permit me also in this connection to give a letter from that able writer and biographer, James Parton, on the same subject:

NEWBURYPORT, MASS., Sept. 29, 1878.

My Dear Friend: I think those Comstock laws, as they are properly called, ought to be totally repealed, and for these reasons:

1. Because they *are* Comstock laws, and not the deliberate judgment of Congress.

2. Because they are useless. The forbidden articles can be sent everywhere by express.

3. Because it is not possible to put into human language a definition of the word *obscene* which shall let the Song of Solomon, Rabelais, Juvenal, and Tom Jones pass, and keep out works intended and calculated to corrupt.

4. Because the control of the Government over the mails is obviously limited to what you well style "postal reasons." Dynamite may be excluded; sealing-wax may be excluded; liquids may be excluded, because they endanger the fulfillment of the contract with all the other senders of mail matter. But the Government is not called upon to sit in judgment upon the moral character or intellectual quality of the parcels intrusted to it.

5. Because the laws in question are so liable to abuse by a narrow-minded or provincial officer.

They enable the prim and prudish village to judge and condemn the metropolis.

6. Because the state laws and municipal laws, previously and now existing, are sufficient for the detection and punishment of all real offenders against decency and good morals.

With regard to the constitutional argument, so ably and powerfully presented by yourself, I can only say, being no lawyer, that it seems to be unanswerable. It came upon my mind with convincing power, and I have never had a doubt since. These laws are wrong every way, and pernicious in many ways. You know how I hate and loathe the books and papers that circulate among boys, which can have no other than a corrupting effect. I could join, heart and hand, in hanging a wretch who, for a little money, would either write, or publish, or sell such works. And yet it seems to me that the *espionage* of the mails by an illiterate person is even a worse evil than that. It menaces the very citadel of liberty.

Yes, I go for immediate and unconditional repeal; and this has been my feeling ever since reading your masterly speech delivered in Faneuil Hall last summer Very truly yours, JAS. PARTON.

To T. B. Wakeman.

When I was arrested under this law, November 12, 1877, when I knew I had committed no wrong, I realized that the law was a bad one, and should be repealed. I was instrumental in circulating blank petitions to Congress asking for its modification or repeal. These were signed by large numbers of freedom-loving people of the country. It was estimated that the whole number of signatures amounted to 70,000. While this petition was before Congress, Mr. Comstock and yourself visited Washington and went before the Committee to prevent the repeal or modification of the law. You also took

that occasion to apologize for your own violation of it, in the matter of the vaseline pamphlet, by a plea of ignorance. The plea, perhaps, was a good one, but it has not been admitted in scores of cases where poor unfortunates have been arraigned and imprisoned for the alleged violation of the law they did not know had an existence. But of course it makes a great difference as to who makes the plea of ignorance. For a rich and popular man like yourself, it may be very effective, but for a poor, friendless person arraigned by your Society, it is wholly without force.

As to the efforts of yourself and Comstock before the Committee, they were efficient, while the prayer of the 70,000 was disregarded. The law remains.

Right here I wish to do a little act of justice to myself and the signers of that petition. It has been represented by Comstock, Joseph Cook, and others, that the signatures on that petition were false or bogus, and especially that the names of leading merchants in this city had been forged to it. This charge is wholly false. The names to that mammoth petition were genuine. No petition was ever sent to Congress more honestly or more earnestly signed. I can produce the sworn affidavits of numerous persons in all parts of the country who took an active part in obtaining signatures, some to the number of 500, 800, and 1,000, that the signatures were genuine and from an intelligent and honorable class of citizens.

I will make an explanation regarding a circular in reference to the law under consideration, drawn up by myself, to be addressed to those who were presumed to feel interested in having the Comstock

law changed. I wished that that circular should bear the names of some of the leading publishers, druggists, etc., in this city. I caused the circular to to be put in type, with the names of the desired firms duly inserted. I had proofs enough taken to give a copy to each person whose name I had attached. Preparatory to having it stereotyped I called in person upon each man or firm whose name I thus used—showed them the circular with their name attached, and explained the character of the paper. I left a copy of the circular with them, as well as a copy of the petition. I asked no one to sign the circular, but expressed the desire that they would allow their names to remain on. Those who assented, or who did not object, I let remain on, but those who objected I removed. This is the exact truth of the matter; but your agent, Comstock, Joseph Cook, and others have accused me of forgery, but with how much justice, I leave for yourself and a candid public to decide. This much, however, I will state before dropping the subject. Comstock visited several of the persons whose names were upon the circular, and, in his brow-beating, overbearing, "bull-dozing" manner, threatened them with prosecution if they did not deny authorizing their names to be used on the circular; and I lament to say that terror of the man was so great that some who had positively given me permission to use their names "went back" on their word and denied to him that they had given such consent. Some men lack independence and courage. This is also an instance of the terrorism which your agent has employed in tyrannizing and lording it over the citizens of this town. He feels that he has a power-

ful society at his back; that the Christian church sustains him; that the Government is enlisted in helping him carry out his vile purposes, and with these at his elbow he can play the tyrant with impunity.

While correcting misrepresentations, let me say a few words about the martyr-blood which Comstock has shed in the holy cause of purity and for which he has been lauded to the skies and almost canonized as a saint. Pitiful recitals have been made about his being attacked by murderous venders of obscenity, and that the deadly attack made upon him was because of his devotion to morality and virtue. This is all gammon. Nothing of the kind is true. The man who inflicted the wound upon the cheek was Charles Conroy, a man with one hand—the left. Conroy was not a desperado. Comstock was probably the only man he ever struck, and the wound was inflicted under circumstances of great provocation. Conroy was not arrested on a charge of selling obscene books. He may once have done something in that way, as scores of dealers did ten years ago, but for a long time he had done nothing of the kind. Comstock arrested him for receiving letters under an assumed name—a thing which thousands of persons have done without a thought on the part of anybody that they ought to be punished for it, and which is in violation of no law, state or national. Comstock arrested him without a warrant, and hustled him into a carriage with just as much right as I would have to arrest you and carry you off against your will. While in the carriage Conroy told Comstock that he (Conroy) had committed no crime and that the arrest was illegal. Comstock replied by saying that

if he failed to convict him on that arrest he would follow him up on other charges until he got him, into prison. Conroy knew that he had broken no law and that the arrest was an outrage upon an American citizen. He was trying to make an honorable living for his wife and child and he keenly felt the wrong that was being done him, and while brooding over it on the way to prison his mind was worked up to a state of desperation. He knew the relentless character of his persecutor and the utter groundlessness of the arrest. As the prison was neared, in his agony of mind he struck his enemy one blow on the cheek with his pocket-knife, and, had he followed it up with other blows, or had he severed the jugular vein of the man who was so cruelly wronging him many would say he had done perfectly right, and would have justified him for the act, and the world would have been well rid of an unmitigated nuisance.

As it was, the one-armed man was tried, not for receiving letters in an assumed name, but the charge was changed to that of "atrocious attack on an officer." For this Comstock appeared against him, and he was sentenced to two years' imprisonment in the state prison in Trenton, N. J. When the time had expired, Comstock was on hand, and, before Conroy left the prison steps, had him arrested on the original charge of receiving letters in a fictitious name, appeared against him in the United States Court at Trenton, and secured his conviction and a sentence of another year's imprisonment. This is probably the only instance in the United States where a person has been imprisoned a year

for receiving letters in an assumed name, though thousands are doing so daily.

This is the whole truth about the martyrdom of Comstock which Joseph Cook and other clerical gentlemen are so fond of expatiating upon, making a hero of the man who unjustly and cruelly committed a great wrong upon a poor cripple and friendless man. Conroy was the wronged man, not Comstock. But the event served Comstock a very good turn. The sympathies of his Christian friends were aroused to the giving point, and from $5,000 to $10,000 was given to remunerate the martyr Comstock for the immense perils he had encountered in "protecting school-girls," and promoting the cause of purity. If justice had been done, Conroy's family would have received a part of that money to feed them and house them while the husband and father was serving out his three years' imprisonment for breaking no law but for vindicating his personal wrongs and for trying to make a living. Conroy is a poor man today, and has had hard work to obtain food for his wife and children. Comstock, his persecutor, gets $4,000 a year for crushing people, with an extra present of twice the amount. This is Christian justice with a vengeance.

In this connection let me allude to a false statement made by Comstock in his last yearly report to your Society. He talks about a conspiracy being entered into between an Infidel editor, a doctor, and an ex-pugilist, and a convict. I am the editor, C. W. Selden is the doctor, James Sullivan the ex-pugilist, and Conroy the convict. The charge of conspiracy is utterly and wickedly false. I had not seen either of the persons named for months, and

we never entered into a conspiracy at any time any more than A. S. Barnes, Wm. E. Dodge, Parson Newman, and yourself have entered into a conspiracy to steal the post-office building and carry it off. Comstock is a liar of the most unscrupulous character.

But I fear I am detaining you too long. There are many things more I would like to say, but I must draw to a close. My object has been to place myself right before you, as the President of the Society which is oppressing me, and before that portion of the public under whose eyes these pages may fall. All I want is simple justice. I wish, for the remainder of my life, to peaceably enjoy freedom of thought, freedom of speech, freedom of the press, and freedom of the mails. In these I have a birthright inheritance by virtue of being an American citizen and I am extremely unwilling to have them wrested from me. I love my liberty and I do not wish to part with it.

I cannot conceive that I am amenable to you, to Anthony Comstock, or to anybody else for my opinions and convictions. I hold I have a perfect right to hold such views upon all subjects as to me seem reasonable and right, and that no individual or society possesses the right to send me to prison for doing so. You have your own views peculiar to yourself, and no man possesses the right to imprison you on that account. My rights under the law are equal to yours. Unbelievers have precisely as many rights as believers. Presbyterians, Baptists, Methodists, Catholics, and Episcopalians, all have a right to maintain their opinions, to publish books, pamphlets, and papers in defense of them,

and those who are unbelievers in all creeds have equally the same right. In the United States there are hundreds of thousands of intelligent men and women who exercise the liberty of thinking for themselves and of arriving at their own conclusions regardless of priests, churches, or confessions of faith. There is the same justice in the people of America who think more or less as I do having books and papers to read in harmony with these views that there is for a Presbyterian, a Methodist, a Baptist, an Episcopalian, or a believer in any others of the numerous creeds in the world. It is very wrong for one creed to try to crush another. And you only evinced a spirit of injustice and intolerance when, a year ago, in a public meeting of your Society, you congratulated them that Freethought publications were in a fair way of soon being stamped out. The only just way is to allow equal rights for all forms of belief, and to give a fair chance to all to decide for themselves which form of belief is right.

I will repeat, that in what I have said in these pages I have endeavored to speak the truth and the truth only. I am sure all the main statements are correct and that they can be proved to be so in any court of justice. That I may have partially erred in some of the minor details is quite possible. My sources of information may not in all cases be perfect. But I have aimed to make no statement that is untrue. Other facts relative to the official conduct of your agent are being brought to light which, on some future occasion, I may deem it my duty to publish. I certainly wish that a spirit of fairness and justice may govern my impending trial, and that a spirit of intolerance

and bigotry may not overrule the principles of justice and truth. The proceedings of the trial will be accurately reported and published, that the world may know in what manner the New York Society for the Suppression of Vice and the Government of the United States join hand in hand in the last quarter of the nineteenth century to crush an independent and unpopular individual who has the honesty and candor to do a little thinking for himself and to choose to not float with the popular current—one who is conscious that he has not committed a wrong, and who claims that he has only exercised the rights of an American citizen.

As I have said several times alreacy, I am aware that some of my views are unpopular. I cannot think as many of my fellow-citizens do on theological points, but this is no reason why I should be deprived of my liberty or my rights. Jefferson said, in his time, that it was neither possible nor desirable for all men to think alike ; then it certainly is wrong to punish any one for honest thinking. Many may be correct in their views, and many again may be mistaken, but let us all remember that "even error may be left free where truth is free to combat it." If aught is of God it must stand, and puny man cannot overthrow it. If any deem it their duty to punish me in behalf of God, they are undoubtedly over-officious. If he wishes me to be punished, he is undoubtedly capable of doing so without the aid of Anthony Comstock or any one else. I am perfectly willing to trust myself in his hands.

Throughout my past life I have endeavored to be a law-abiding citizen, and to duly support the Government under which I live. I have been a humble

individual but I have added several thousand dollars to the revenues of my country. On two occasions I have paid into the revenue $1,000 at each time, and on many occasions sums of $500, $300, $200, $100, and smaller amounts, aggregating many thousands of dollars. I am inclined to think Comstock has never added $50 to the revenues of the country. But this may possibly be a reason why he should now be empowered to oppress and crush me.

I have lived to become an old man. My life is largely spent. My active days are nearly over. I have seen three score years and can hardly expect to see more than ten more of active life. I have endeavored to do my duty in the past, and have no fears for the future. I will be glad to pass the remainder of my days in peace and quiet and in the enjoyment of my liberties. I earnestly hope for a fair trial in the coming effort of your Society to deprive me of my property and my liberty which awaits me. I am not conscious of having done wrong to any one or to any body of men. Whether my remaining days are long or short in the land, I hope to be found faithful in my duty and to spend my latest strength and breath in defense of eternal truth, justice, and liberty.

I am very truly yours, D. M. BENNETT.

141 Eighth St., New York.

February 22, 1879.

POSTSCRIPT.

DEAR SIR: The intense anxiety I feel in consequence of the near approach of my trial, and the peril in which my liberty and dearest rights are placed must be my apology for continuing the remarks heretofore addressed to you. It is, perhaps, not strange that I should feel uneasiness at the danger which threatens me, or that I should have fears that I am about to be unjustly deprived of that which to me is as dear as life itself—my liberty, my property, my reputation.

I am informed by those who have had opportunities to know something of the facts in relation to the intentions of your Society and its coöperators, in my case, that it is your purpose to "crucify" me, so to speak, and to "grind me to powder." There are sufficient grounds for believing that a very unfriendly feeling exists in reference to me—that I am regarded as a rock of offense that must be removed.

I think I am somewhere about the two hundred and sixtieth person arrested by your Society on the pretended charge of obscenity, and when your agent makes the statement that of the cases that have been tried only some twelve have escaped conviction, it can be seen at a glance that I have grounds for anxiety. But being conscious of my own entire innocence of the charge upon which your Society caused my arrest and prosecution, I await the result with calmness and trust. If I am deprived of my liberty, and my property is taken from me, it will have but a temporary effect on the part of the powers of intolerance and bigotry, and will not shake my confidence in the ultimate triumph of Liberal principles in our land—free speech, free press, and free mails.

I trust you have read the little pamphlet, "Cupid's

Yokes," which I sent you—for mailing a copy of which I am to be tried for my liberty. If you have perused it carefully, I think, though you found it to contain some sentiments which perhaps neither you nor I approve, that you also found it an earnest and candid effort on the part of the author to advocate the views which he believes closely connected with human welfare, and that the little work was not written to inflame the passions or to increase crime. You can see at once that it was not written for the young, that it is a dry, argumentative production that would never attract the attention of a young person, and that no young person can have been injured by it. You at all events must have seen that it does not contain one indecent word in its composition, and that its language is good.

I think you will admit there is something wrong in married life in our country—that there is a vast amount of unhappiness and wretchedness on the part of those who by law and public opinion are compelled to live together. It is a sorrowful truth that there are hundreds of thousands of men and women trying to live together as life companions who are utterly uncongenial to each other and who render each others' lives bitter and unhappy. Hundreds of thousands of children are now being reared by parents who are almost constantly quarreling, if not resorting to harsher means of showing their dislike for each other. This is indeed a very bad school in which to rear children, and it is deeply to be deplored that the evil alluded to is so great as it is. Marital unhappiness is one of the greatest misfortunes that exist in our land. It is an ailment for skillful physiciant to cure and earnest reformers to remove. Many remedies will of course be recommended. Let no embargo be placed upon those who prescribe a remedy even though it may not always be of the best and wisest character. Let all be heard who have advice to give and suggestions to make for the lessening of this great evil, and even though they may be mistaken, send them not to

prison, deprive them not of their liberty because they have expressed their convictions. Let Mr. Heywood's propositions be listened to and accepted by those who think them sound and truthful.

I trust you also read the little pamphlet—"Parker Pillsbury's Letter to Ezra H. Heywood"—contrasting the condemned portions of "Cupid's Yokes" with selections from the Bible. If you did, you must have perceived that the Bible contains a thousand times more of indecent language and allusions than Heywood's pamphlet. If any one will read the little volume I have issued—"The Holy Bible Abridged"—containing only literal extracts from the Bible, they will be convinced, under the worst construction that can possibly be placed upon the Heywood pamphlet, that in indecency of language and sentiment it bears no comparison to the extracts from the revered book.

Parker Pillsbury was an able and ardent champion advocate for human liberty and toiled laboriously for years in behalf of the downtrodden. He is a man of unusual intelligence, perception, and honesty, and his opinions are worthy of close examination. I hope they did not escape your attention.

I trust, too, that you perused the arguments of Mr. T. B. Wakeman on the "Unconstitutionality of the Postal Laws" which your Society caused to be placed upon the statute books of our country and under which I am indicted and am to be tried. If you read the pamphlet with care, I think you must come to the conclusion that the enactment of that law was a marked departure from the principles which governed this country for nearly a hundred years, and that by doing this the provisions of the Constitution were violated. If you have not read the pamphlet, let me urge it upon you to do so. Every person in the country would do well to do the same. If they will do so a large portion must come to the conclusion that it was not a proud day in our country's history when that law was enacted and thereby

placed on the nation's statute books. I will be glad to furnish the pamphlet to all who wish it.

Let me also request you to read the remarks of Mr. Loring Moody, Esq., of Boston, upon the same subject and given in this issue of THE TRUTH SEEKER. You will find his arguments sound and worthy of your consideration. His comparison of the mails to the public highways seems to me very pertinent. He says, "The right of free mails stands on the same grounds as the right of free highways. With this difference in favor of the mails, every one pays for what he sends through them—man, woman, and child—while multitudes travel on the highways who pay nothing for their support. Yet," he asks, "who would dare to pry into or question the aims, motives, or purposes—whether they were designed to corrupt anybody's morals, or for what other ends—of any one traveling on our highways? or what writing, printing, picture, or other things he has got in his pockets? and what is the moral effect of such material? Yet how much crime surges along our highways! There goes a pickpocket, a sneak-thief; here comes a house-breaker, bank robber; yonder is a murderer, with his soul filled with bloody intent. Indeed our highways are open avenues for every sort of vice and crime."

If Government does not set up a censorship and examining board over those who travel the streets and highways where they pay no toll, why should a censorship be set up over them when their letters books and pamphlets travel through the mails where they do pay toll, and which has to be paid before the parcels start upon their journey? If a criminal can travel over our railroads when he pays the stipulated fare, why cannot his letters and books travel through the mails when the fare is duly paid? If the streets, the highways, and railroads are not contaminated in the one case, why are the mails in another? Is it not wholly imagination that the mails are affected by what is sent through them, whether moral or immoral? Is there not just as much

reason and justice for Government to overhaul and examine who and what passes over the public highways as what passes through the mails, so far as morality or opinions are concerned?

Mr. Moody's comparison between mail matter and intoxicating liquors is worthy of attention. He states the fact that a vastly greater amount of injury is done by intoxicating liquors than by obscenity, and yet Government sanctions the traffic by exacting duties on what foreign liquors are brought into the country and by collecting the tax on what is manufactured here, and under this sanction the commodity which causes a wider range, and a more horrible class of evils than anything else in the world, is transported to any part of our country and not the slightest objection is raised on the part of any Government official. Now if this vile stuff can pass freely under Goverment protection through our custom houses, bonded warehouses, and revenue bureaus, nobody raising his hand to check the transit, why should so much ado be made about what passes through the public mails, which all alike—good and bad, pure and impure—help to support? I hope you will yet be able to see that this inspection of the character of the people's mails is inconsistent, uncalled-for, unjust, and unconstitutional.

Let me ask why your society should be so determined to send me to prison for the sending of a harmless pamphlet through the mails, when hundreds of the clergymen and thousands of the leading members of your churches are guilty of far greater crimes and many of whom are never brought to justice at all? I simply exercised the right of an American citizen and deposited in the mails a pamphlet which the first dealers in this city and all over the country have sold over and over again and which does not contain a tithe of the indecency found in other volumes which every bookseller in the country sells almost every day in the year; while your clergymen, your deacons, your class-leaders, and your leading church-members are on every hand

charged with fraud, adultery, fornication, incest, sodomy, bigamy, lying, hypocrisy, stealing, forgery, perjury, and even arson, and murder. A month ago I cited in one issue of my paper nearly three hundred cases where clergymen had committed these crimes and I gave but a portion of those which the public prints have recorded, while probably not more than one in ten of their peccadilloes are suffered to come to public knowledge. You well know, yourself, that there is hardly a case of embezzlement, defalcation, high-handed swindling, on the part of savings banks, trust companies, insurance companies, manufacturing corporations, etc., etc., that some prominent church-member or Sabbath-school superintendent is not closely connected with it. It is not strange that one of our leading morning papers recently asked the question, "Did you ever know a broken savings bank that had not one or more church members among the trustees?" In view, then, of the large list of crimes that are being committed by the pious believers and teachers of Christian dogmas, a large number of whom are allowed to go scot free, it seems hardly a matter of justice that I should be sent to prison on a very questionable charge and where even no crime was intended and none committed. Justice should certainly not be lost sight of by the church party which claims to be in possession of all the morality.

As I have before remarked, this country has all along been supposed to be free for all shades of opinion, whether in religion, politics, morals, philosophy, science, or any other domain. It has been thought that a man has just the same right to be an unbeliever that another has to be a believer. On this ground I have the same right to be an Infidel that you have to be a Christian. You may be right in your views, or you may be wrong, and the same with myself. It is at least a debatable question as to which is the truest and best religion in the world and which is the truest philosophy. Now I am just as certain that my views are mainly correct as you

can possibly be that yours are. We differ very widely, and one of us, at least, must be mistaken. I am honest in my belief that the Christian religion is not divine any more than other systems, and that, besides lacking divinity, it also lacks originality. I find that every dogma, sacrament, rite, and ceremony of the Christian church which is generally supposed to have originated less than nineteen hundred years ago has existed in pagan nations from three thousand to five thousand years. In other words, I find that the Christian religion is borrowed—its God from Judaism, its dogmas from paganism.

I find that the legend or fable of gods cohabiting with females of the human race, thus producing an offspring half divine and half human, is at least a thousand years older than Christianity. The old idea of the virgin and child was held in Egypt, Chaldea, Syria, India, Thibet, and other ancient Oriental countries, nearly five thousand years ago.

The same is largely true of the doctrine of the trinity, immortality, heaven and hell, gods and devils, angels and demons, good and bad spirits, baptism by water, the Eucharist or Lord's Supper, the symbol of the cross, belief in a final judgment, confession of sins, fasting and prayer, monasteries and monks, belief in sacred writings, the crucifixion, the resurrection of the dead, the second birth, and everything else that goes to make up Christianity. They were known and believed by one or many of the older religions long, long before Christianity had its birth.

The fine morals teachings and beautiful sentiments ascribed to the reputed founder of your system of religion were promulgated and taught by the sages and wise men of old, five hundred years at least before Jesus is said to have existed. There is little of morals or philosophy now in the world that was not distinctly taught twenty-five centuries ago. Religions have seldom been new inventions or new creations. There are hundreds of systems in the world, but not one of them grew up independent of the

others. The younger systems were borrowed from the older, and those comparatively old from those older still. There is a striking family resemblance between them all, and one is just about as divine as another.

Now these things are so, or they are not; and the truth is susceptible of proof. These facts have not been sufficiently looked into by the great bulk of Christian believers. It is but due to the cause of truth that these things are brought to the minds of the people. It is far better to patiently and honestly investigate the origin, nature, and trustworthiness of the different systems of religion that have prevailed in the world, than for those of one system of faith to condemn, behead, hang and quarter, burn at the stake, or even send to prison, those who cannot see things as they do, and who cannot believe as required.

Let me make a proposition to you. Instead of sending me to prison because I do not accept the belief that you and others of your Society and faith think I ought, let us debate the points of disagreement between us and settle by history, argument, and reason which has the better grounds for his belief. I would much rather do this than go to prison. I will agree to be open to conviction and to embrace Christianity with all my heart if you can convince me that it is true. If it is susceptible of proof this will be much better for you and for your cause that to confine me in a dungeon, or load me with chains; for I think that treatment would fall far short of convincing me of the beneficence, mildness, and charitableness of your system of faith. Racks, thumb-screws, pincers, pulleys, stakes, beheading blocks, gallows, and dungeons have not proved to be very winning arguments and not well calculated to make new converts. A man would have to be kept upon the wheel or rack for a good many hours to convince him that it was a mild, charitable, and heavenly kind of treatment, and it is almost too far along now, in the nineteenth century, to encourage that kind of bnsiness. I would recommend to your

pious Society that you do not embark in any part of that heroic treatment too strongly. It is not likely to prove popular with the masses. Good arguments, historical facts, and strong reasons will prove far more convincing than iron boots, breaking of bones or damp, filthy prisons.

Yes, I feel a little argumentative, somewhat as the large boy did whose father was about to give him a severe whipping, or was, in fact, applying the rod vigorously to his back and shoulders, when a bright thought struck the youth, and he cried out, "Stop, dad, let's argy!" So say I. I prefer it to the whipping. If you do not feel like engaging in the argument yourself, I suggest that you select some able and learned clergyman—any one you please—who will discuss with me as to the truth or untruth of the Christian religion, whether it is of divine or human origin, whether the Bible is divinely inspired, and which is truest, Christianity or Rationalism; or any other subject akin to these. I am not a learned man. I went to a district school, only, till fifteen years of age, since which time I have been constantly hard at work, and have read but few theological works, or books of any kind, for that matter, but I am so well assured that I have the truth on my side that I will unflinchingly enter into a debate with any one of your ablest divines, or any professor of your colleges, upon the subjects named. And what is more, I will print every word your champion may have to say in defense of his religion. I will not only lay his arguments before 30,000 readers weekly, but at the close I will publish the same in book form without asking him to contribute a dollar to help defray the expenses, and will furnish the books at most reasonable prices to Christians or Infidels who may wish to purchase them.

Now, Mr. Colgate, I submit it to your better reason whether this will not be a wiser way to treat me than to take me from my family and my business and confine me in prison. If I am wrong in my belief, all you have to do is to convince me of that

little fact, and I will acknowledge my error with the best grace in the world. I don't want to be wrong. I had much rather be right than any other way. By sending me to prison you will virtually confess to the world and to coming generations that you fear my arguments and my influence; and that will not convince them that you are in the right. Again let me urge you to accept my proposition for a discussion, through my paper, with the ablest clergyman you can name, instead of sending me to prison. It is certainly worthy of consideration.

Let me assure you that persecution, whether by torture, death, or imprisonment, has not been an honor to Christianity. By imposing these cruelties she has not advanced her cause nor caused her name to be loved by her enemies; and now as the world advances in knowledge and science her cruelties in this line stand out with appalling clearness. For a thousand years the direst cruelties that have ever been inflicted upon the human race proceeded from the church. In a few hundred years, it has been been estimated by one of the most learned writers of our time, Victor Hugo, that five millions of human beings were put to death by the church, and that, too, by the most horrid species of torture that human ingenuity could invent. These, combined with the millions upon millions that have been slain in Christian wars, the number who have lost their lives under the influence of this religion has been estimated from 75,000,000 to 150,000,000 human beings—ten times as many as have been slain by all the other religions of the earth combined. So while you and others imagine Christianity to be the most beneficent religion in the world, it has been by far the most persecuting, relentless, and bloody.

Even within the last hundred years the church has shown her persecuting hand not only in Europe but in these United States of America. If the scaffold, the stake, and the torture machines. with the increasing good sense and intelligence of mankind have been cast aside, truth compells the confession that

trials and imprisonments, social ostracism and sundry annoyances have still persistently been visited upon the heretic. I will mention a few of the cases that are historical, the accounts of which have been handed down to us.

On July 18, 1793, a Mr. Cook, a baker in Cambridge, England, was imprisoned for having, three and a half years previously, said that he wished "the churches were pulled down to mend the roads with."

On July 13, 1793, a Mr. Grimwood, an eminent manufacturer was indicted for having in his possession a copy of "Paine's "Age of Reason," but being a wealthy man and able to employ shrewd lawyers, they found a flaw in the indictment, and it was set aside.

Two days after at Chelmsford, Christopher Payn, bookseller, was charged before the quarter sessions with having sold a copy of one of Thomas Paine's pamphlets, but he got clear from a defect in the indictment.

At Knutsford and elsewhere several arrests and convictions were made for selling Paine's works.

At Nottingham, Aug. 1, Mr. Hall, printer of the Newark *Herald* was convicted and punished for selling Paine's "Address to the Addressers."

In the same month at Taunton, Messrs. Robinson, eminent publishers were sentenced to a fine of £100 for one of the firm and £50 each for the three others for selling the "Rights of Man."

A young man in Sutton was imprisoned a year, besides a fine of £20 for avowing himself a believer in the doctrines of Paine.

George Eden for a similar offense was imprisoned six months and fined.

Messrs. Peart & Bilcher, booksellers at Warwick, were sentenced to prison each for three months for selling Paine's "Rights of Man."

On August 30, Thomas Muir, of Huntershill, was sentenced to fourteen years transportation for simply recommending the works of Paine to be read.

On September 13, Mr. Palmer, an educated gen-

tleman, for a similar offense was sentenced to transportation for seven years.

A Mr. Phelps, bookseller of Leicester, was imprisoned seven months for selling some of Paine's works.

On November 11, Daniel Holt, for publishing Paine's address was sent to prison for two years.

In December three indictments were preferred against a Mr. Spencer for selling the "Rights of Man."

For several years a persistent persecution by fines and imprisonment was kept up against various persons, in various places, for selling Paine's works.

In Bolton the town crier was sent around with a bell calling upon all persons who had any copies of the writings of Thomas Paine to bring them to the borough-reeve to be burnt, on pain of imprisonment if the order was not complied with.

This kind of persecution was continued from year to year. In 1812 J. D. Eaton, bookseller, was sentenced to prison in London by Lord Ellenborough for selling "The Third Part of Paine's Age of Reason." Shelley one of the brightest minds that England ever produced, felt so strongly that the freedom of speech and freedom of the press had been outraged by this unjust sentence that he wrote a letter to Lord Ellenborough upon the subject. It had the ring of a true lover of liberty and I take pleasure in reproducing the letter in this issue of my paper. I ask you to read it.

In 1827, ex-Rev. Robert Taylor, a man of great learning, for becoming a Freethinker and disavowing his former belief at Guildhall, was indicted, tried, and sentenced to prison for a year. In 1831 he was again arrested on a charge of blasphemy, was convicted, and sentenced to two more years of imprisonment.

In 1819 Richard Carlile, publisher and lecturer, in London, was indicted by a Christian court no less than six times for heresy and blasphemy. He was easily convicted, and was sentenced to imprison-

ment and a fine of £1,500 ($7,500). While he was serving out his term, prosecution was also commenced against his wife, wno was endeavoring to continne his business, and the Christian authorities seized upon the place, carried off Carlile's goods, and entirely broke up the business. After this the wife was sentenced to two years in a most comfortless cell. Upon the imprisonment of Carlile and his wife, his sister was brave enough to attempt to sell some of his books, but she also was arrested and sentenced to prison and fined £500 ($2,500). After this a Mr. Wright and seventeen others raised some funds with a view of continuing Carlile's publishing business, but in the name of the religion of Jesus they were arrested and sent to prison for terms varying from six months to three years, with fines in addition. The imprisoment of Carlile and his wife and sister was rendered as unpleasant as possible by their Christian persecutors, and they were treated with far greater indignities than any of the felons confined for robbery or murder. When it was necessary for them to be taken out into the yard, they were led with ropes, like wild beasts. But this cruel persecution did not stifle Carlile's doctrines nor change his belief. After his imprisonment was over he sold far more books than ever before. But the enmity of the church was not lessened towards him, and in 1834 and '35 he was again imprisoned ten months for not paying church rates.

Among those now living who have been imprisoned in England for heretical opinions, is George Jacob Holyoake, a most gentlemanly and worthy man. In 1841, when he was less than twenty-five years of age, while engaged in lecturing upon co-operation, etc., a direct question was put to him as to his religious belief, which he answered with honest directness, but for this he was prosecuted and sentenced by Justice Erskine to six months' imprisonment as an encouragement for his truthfulness and candor. But he has lived to win the respect and admiration of large numbers of the best people of England.

The latest case was the conviction and sentence of Edward Truelove, publisher and bookseller, nearly seventy years of age, who, in the city of London, within a year, was prosecuted by the prototype of your Society, the "London Society for the Suppression of Vice," for selling a useful little work by the late Hon. Robert Dale Owen, of our own country, called "Moral Physiology." For this offense—or really no offense at all—the excellent old man was sent to prison for four months. His term expired a few months ago.

Mr. Charles Bradlaugh and Mrs. Annie Besant have been bitterly prosecuted by the same "Vice Society" for publishing and selling a small work written by Charles Knowlton, M. D., of Ashfield, Mass. They were convicted and sentenced to six months' imprisonment and a fine of £200. They, however, succeeded in obtaining a new hearing in a higher court, when, after much trouble, the indictment was declared defective, and they have escaped the ignominy and inconvenience of going to prison.

In this country, after passing over the persecution of the Salem witches, the Quakers—one of whom, Mary Dryer, was hung on Boston Common—and the Universalists, etc., etc., we come down to the persecution of Freethinkers. Abner Kneeland, a very upright man, was in 1833 arrested and prosecuted in the city of Boston because his belief in the nature of the Deity did not comport with the sectarian views of his persecutors, and he was sentenced to prison for sixty days.

Charles Knowlton, M.D., of Franklin Co., Massachusetts, a skilled physician and a Freethinker, author of "The Elements of Materialism" and a small medical work, alluded to above, called "The Fruits of Philosophy," was prosecuted and annoyed several times, but the jury were sensible enough not to find a verdict against him.

After this no person was sent to prison for opinion's sake until we come to the operations of your

Society, which seems to be endeavoring to revive the old spirit of persecution towards unbelievers; but now you are doing the business under the pretext of suppressing obscenity, because you have succeeded in obtaining the enactment of laws making that a crime punishable with imprisonment and fine.

I do not by any means object to the punishment of obscenity, if it is honestly done; but when the charge is only a pretext, and gotten up only to punish and persecute unbelievers not guilty of obscenity, the injustice is most reprehensible. The animus that actuates you and your Society can be easily understood when it is rememered that a year ago you publicly announced that Freethought publications would soon "be stamped out."

Let me assure you that any persecution that you may be able to bring to bear upon the Freethinking or Liberal element in this country will not avail to suppress it. Too many thousands of earnest people are imbued with honest convictions to be crushed by prosecution, fine, and imprisonments. It is hardly worth while for you to attempt it, for you must understand that by persecution you only spread that which you attempt to crush. Thus it has ever been and ever will be. You must of course remember that trite axiom, "The blood of the martyrs is the seed of the church." The more persecution, the more attention will be called to the opinions attempted to be suppressed. This is inevitable. Any book you attempt to suppress you only advertise and make it sell the faster.

There is a love of liberty inherent in the American heart which must make freedom of thought, freedom of speech, and freedom of the press, ever dear to the people. And though you succeed in crushing any particular line of belief for a while, it will surely revive again with more vigor than ever.

A man of your judgment and discretion should be able to see that persecution and oppression are not the means to combat an honest error of opinion and that they cannot redound to the honor of the oppressor.

You should understand, also, that what is now being done by your Society—oppressing and crushing honest thought and opinions—must become items of history, and will not only become familiar to those now on the stage of action, but to those also who come after us. May reason and justice guide you in your conduct towards those who cannot think as you do.

In conclusion let me briefly recapitulate and sum up. I have grown to be an old man. I have maintained through life a good reputation. I have not intended to wrong any one, and hope I have done far more good than harm to my fellow-men. I have committed no crime in the offense with which I am charged. I have not been guilty of obscenity. I have only exercised the rights of an American citizen. Your Society uses falsehood, decoy, and misrepresentation to accomplish arrests and prosecutions. It takes especial pains to oppress those of heterodox views, without other sufficient cause. You have yourself positively violated the law under which you caused me to be indicted, while my violation is only a constructive one, by calling obscene that which is not obscene, as thousands will testify.

My record through life has been good, while hundreds of your own clergy and prominent church members have made bad records and still have not been punished. The right of one class to punish another for opinion's sake is a very questionable one. The law under which I am prosecuted is of very doubtful constitutionality, to say the least. Persecution of myself for my opinions will not do you, your Society, nor your cause any good. This Government should protect every man in the enjoyment of his honest opinions. There are many worthy men—scientists, scholars, and thinkers—both in this country and in Europe, who hold anti-theological views similar to my own. I have meant no harm, have done no harm, and do not deserve punishment.

Under all these considerations I can only hope

that I may have a fair, honest trial, and that a jury of my peers will not come to the conclusion that I ought to be deprived of my liberty, or be stripped of my scanty effects.

"But truth shall conquer at the last,
For round and round we run;
And ever the right comes uppermost,
And ever is justice done."

I am very sincerely yours,
D. M. Bennett,
141 Eighth St.

New-York, March 1, 1879.